

**DEVELOPMENT REVIEW BOARD MEETING
DECEMBER 11, 2023
6:30 PM**

Public Hearing:

2. **Resolution No. 422. ParkWorks Industrial Building and Partition.** The applicant is requesting approval of a Stage I Preliminary Plan, Stage 2 Final Plan, Site Design Review, Type C Tree Removal Plan and Tentative Partition Plat for development of an industrial spec building with accessory office space and associated road and site improvements at 26600 SW Parkway Avenue.

Case Files:

- DB22-0009 ParkWorks Industrial Building and Partition
- Stage 1 Preliminary Plan (STG122-0007)
- Stage 2 Final Plan (STG222-0009)
- Site Design Review (SDR22-0009)
- Type C Tree Removal Plan (TPLN22-0007)
- Tentative Partition Plat (PART22-0002)

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 422**

A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING WITH CONDITIONS A STAGE 1 PRELIMINARY PLAN, STAGE 2 FINAL PLAN, SITE DESIGN REVIEW, TYPE C TREE REMOVAL PLAN, AND TENTATIVE PARTITION PLAT REVIEW FOR DEVELOPMENT OF AN INDUSTRIAL SPEC BUILDING WITH ACCESSORY OFFICE SPACE AND ASSOCIATED ROAD AND SITE IMPROVEMENTS AT 26600 SW PARKWAY AVENUE.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by John Olivier with ScanlanKemperBard (SKB), Applicant, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the subject site is located at 26600 SW Parkway Avenue, Taxlot 00511, Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated December 4, 2023, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on December 11, 2023, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated December 4, 2023, attached hereto as Exhibit A1, with findings and recommendations contained therein, approving the requests with conditions, and authorizes the Planning Director to issue permits consistent with the Development Review Board approval for:

The Parkworks Industrial Spec Development (DB22-0009): Stage 1 Preliminary Plan (STG122-0007), Stage 2 Final Plan (STG222-0009), Site Deigns Review (SDR22-0009), Type C Tree Removal Plan (TPLN22-0007), Tentative Partition Plat Review (PART22-0002).

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 11th day of December, 2023, and filed with the Planning Administrative Assistant on _____. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the Council in accordance with *WC Sec 4.022(.03)*.

Jean Svedlenka, Chair - Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant



Exhibit A1
Staff Report
Wilsonville Planning Division
ParkWorks Industrial Building
Development Review Board Panel 'A'
Quasi-Judicial Public Hearing

Hearing Date:	December 11, 2023
Date of Report:	December 4, 2023
Application No.:	DB22-0009 SKB Parkworks Industrial Spec Building
Request/Summary:	The requests before the Development Review Board include a Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review, Type C Tree Plan, and Tentative Partition Plat.
Location:	Tax Lot 00511, Section 12, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon
Owner/Applicant:	SKB-Parkworks LLC (John Olivier)
Authorized Representative:	Desmond Amper (LRS Architects)
Comprehensive Plan Designation:	Industrial
Zone Map Classification:	PDI (Planned Development Industrial)
Staff Reviewers:	Georgia McAlister, Associate Planner Amy Pepper, Development Engineering Manager Kerry Rappold, Natural Resources Program Manager
Staff Recommendation:	<u>Approve with conditions</u> the requested Stage 1 Master Plan, Stage 2 Final Plan, Site Design Review, Type C Tree Plan, and Tentative Partition Plat.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.001	Definitions
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.117	Standards Applying to Industrial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.135	Planned Development Industrial (PDI) Zone
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.179	Mixed Solid Waste and Recycling
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.200 through 4.290	Land Divisions
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600 through 4.640.20	Tree Preservation and Protection
<u>Other Planning Documents:</u>	
Wilsonville Comprehensive Plan	
Previous Land Use Approvals	
Transportation System Plan	

Vicinity Map:



Background:

ParkWorks (previously known as Parkway Woods) is one of the oldest industrial office parks in the City of Wilsonville. First developed in the 1970s as the site of the Tektronix campus, the site has continued to expand over the years. SKB has continued the development of the site with improvements to the existing tenant spaces and site, with minor site and architectural improvements approved in recent years. This proposal for the partition of the property and addition of a 91,773 square foot industrial warehouse will create an additional opportunity for new industrial development on an undeveloped portion of ParkWorks.

Summary:

Stage 1 Preliminary Plan

The Stage 1 Preliminary Plan proposes a new 91,773 sq ft industrial office and warehouse building, parking and associated improvements for the ParkWorks development. The overall development and layout are consistent with the Planned Development Industrial Zone (PDI).

Stage 2 Final Plan

The Stage 2 Final Plan includes an approximately 91,773 sq ft industrial office and warehouse building. The proposed uses of the development are consistent with the Planned Development Industrial (PDI) Zone. All services are available for the site or will be with conditions of approval. The site includes parking, circulation areas, pedestrian connection, and landscaping meeting or exceeding City standards.

Site Design Review

The applicant used appropriate professional services to design the proposed industrial flex building using quality materials and design. The proposed building has been designed with the existing campus in mind, referencing the color of the bricks through the rust orange accent colors incorporated in the entrances and throughout the façade. The configuration of the site will allow for efficient freight loading and unloading while also creating safe access throughout the parking area for employees and visitors. Landscaping is incorporated throughout the site providing shade, stormwater mitigation and aesthetic value.

Type C Tree Removal Plan

The applicant proposes the removal of nineteen trees on the proposed development site. The tree species on site are a mix of native and non-native trees including Oregon white oak, ponderosa pine, Douglas fir, black pine, red oak, western red cedar, Norway maples, sweet cherry, English Hawthorne and Oregon ash. The trees proposed for removal are not high quality trees and removal is necessary for the development of the site. The applicant proposes replanting 108 new trees on the subject property, which is in excess of the 1:1 mitigation ratio as required by the development code.

Tentative Partition Plat

The proposed tentative plat meets technical platting requirements, demonstrates consistency with the Stage 2 Final Plan, and does not create barriers to the future development of adjacent neighborhoods and sites.

Public Comments and Responses:

No public comments were received during the comment period for the project.

Discussion Points – Verifying Compliance with Standards:

This section provides a discussion of key clear and objective development standards that apply to the proposed applications. The Development Review Board will verify compliance of the proposed applications with these standards. The ability of the proposed applications to meet these standards may be impacted by the Development Review Board's consideration of discretionary review items as noted in the next section of this report.

Traffic

The addition of a new 91,000 square foot industrial building along Parkway Avenue will impact traffic along Parkway Avenue, Printer Parkway and the surrounding area. The Traffic Impact Analysis (see Exhibit A3) performed by the City's traffic consultant, DKS Associates, calculates that the proposed warehouse building will generate 548 daily trips in relation to the operation of the site including employees and visitors. These new daily trips will result in an increase in use of the surrounding roadways and intersections. Traffic operations at the three intersections studied as part of the traffic impact analysis are shown to continue meeting the LOS D standard. The Transportation System Plan identifies project UU-05 (SW Parkway Avenue Urban Upgrade along the proposed development's frontage, which is not currently constructed to City standards.

The traffic impact analysis and Transportation System Plan identify several existing safety deficiencies adjacent to the proposed development including components of Parkway Avenue, Printer Parkway and the intersections of Printer Parkway/Parkway Avenue and Xerox Drive/Parkway Avenue. This is of high concern for the development as increases in traffic volume are anticipated at the Printer Parkway/Parkway Avenue and Xerox Drive/Parkway Avenue intersections. Parkway Avenue is a freight route with a high speed limit of 45 miles per hour a lack of queuing lanes, and no separation for modes of transportation. All of these factors contribute to the importance of addressing the identified safety deficiencies along Parkway Avenue, specifically the addition of pocket left turn lanes to prevent queuing and reduce risk of accidents.

Development and Associated Transportation Improvements

Transportation and infrastructure improvements roughly proportional to the impact of a development are required within the City of Wilsonville for all new development. The proposed industrial flex building is no different from other new development within the City and thus is required to improve a proportional share of the transportation infrastructure adjacent to the development site in accordance to City Code Section 4.177 and the Transportation System Plan.

The proposed development is adjacent to SW Parkway Avenue and SW Printer Parkway and will take access from both streets. The City has conditioned improvements along both Parkway Avenue and SW Printer Parkway in accordance to the data presented in the Traffic Impact Analysis provided by DKS (Exhibit A3) that estimates the new development's impact on traffic patterns and volume within the City. These improvements include half street improvements to

both Parkway Avenue and Printer Parkway for the purpose of upgrading the existing streets to be in compliance with current Public Works Construction Standards and the Transportation System Plan with the applicant qualifying for SDC credits for any portion of those improvements that exceed their proportionate impact and responsibility. The applicant has objected to the required improvements as noted in Exhibit B3.

Once a complete application was received by the City in April, with the applicant's objection noted, the City engaged in negotiations with the applicant regarding the required improvements with the intention of entering a development agreement acceptable to both parties. The 120-day timeline for a land use decision ends on December 31, 2023, and without a final negotiated Development Agreement ; the Conditions of Approval will dictate the required improvements.

The applicant's objection to the improvements required of the City is in regards to proportionality. It is the applicant's opinion that the cost of the requirements set forth in the staff report and associated exhibits are not proportional to the impact of proposed development and therefore would be considered a taking as it is defined in the Fifth Amendment of the US Constitution and Article I, Section 18 of the Oregon Constitution.

In response to the applicant's claims, the City has prepared Essential Nexus/Rough Proportionality Findings (Exhibit A2), which serve to establish the basis for the required improvements and describe the applicant's proportionate responsibility for the cost of these improvements. These findings describe the required improvements, why they are to be required, what the applicant's proportional share of the work is, and why it is proportional to the proposed development. While the improvements are referenced throughout this document (Exhibit A1) the details of the justification for the City's improvement requirements are within the Essential Nexus/Rough Proportionality attachment.

Building Design Compatibility

Harmonious development is an important consideration for the design of new development within Wilsonville. Wilsonville Code Section 4.400, Site Design Review, declares the City Council's goals of preventing, "Excessive uniformity, inappropriateness or poor design of the exterior appearance of structures and signs". Additionally, Wilsonville Code Section 4.421 (.03) states, "The Board shall also be guided by the purpose of Section 4.400, and such objectives shall serve as additional criteria and standards." In recognition of this, the Development Review Board can condition the applicant modify the design by increasing articulation or adding screening, in order to reduce the uniformity of an industrial building.

The proposed industrial flex building will be a large tilt up building exceeding these thresholds. Without variation in articulation on portions of the proposed building, particularly along the I-5 frontage on the northwest corner of the building, its massing is overwhelming in scale. As the proposed project is adjacent to the I-5 Freeway, it will be a prominent building in Wilsonville. The building will be one of the first large industrial developments seen in by travelers in vehicles headed south on I-5. Due to the prominence of the building and lack of articulation on this corner of the building it is staff's recommendation that the design is enhanced to reflect the City's goal

of harmonious development. A condition of approval will require the addition of architectural articulation and/or variation in materials at the northwest corner of the building in order to enhance the appearance of the building and the site from offsite locations.

Discussion Points – Discretionary Review:

This section provides a discussion of discretionary review requests that are included as part of the proposed applications. The Development Review Board may approve or deny items in this section based upon a review of evidence submitted by the applicant. There are no discretionary review requests included as part of the proposed application.

Conclusion and Conditions of Approval:

Staff reviewed the Applicant's analysis of compliance with the applicable criteria. The Staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board approve the proposed application (DB22-0009) with the following conditions:

Planning Division Conditions:

Request A: Stage 1 Preliminary Plan (STG122-0007)

No conditions for this request

Request B: Stage 2 Final Plan (STG222-0009)

PDB 1. General: The approved modified final plan shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved preliminary or final development plan may be approved by the Planning Director through the Class 1 Administrative Review Process if such changes are consistent with the purposes and general character of the development plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding A13.

PDB 2. Prior to Non-Grading Building Permit Issuance: All bicycle parking spaces will comply with the 2' width and 6' length requirement and include 5 feet of maneuvering space behind each space. Twelve (12) bicycle parking spaces are to be provided with 50% of the spaces to be dedicated to long term parking.

PDB 3. Prior to Non-Grading Building Permit Issuance: Thirteen parking spaces are to be marked as carpool/vanpool spaces. See finding B46.

PDB 4. Prior to Final Occupancy: All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties.
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Request C: Site Design Review (SDR22-0009)

PDC 1. General: Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding C16.

PDC 2. Prior to Temporary Occupancy: All landscaping required and approved by the Board shall be installed prior to issuance of any occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City
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	<p>Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding C36.</p>
<p>PDC 3.</p>	<p>Ongoing: The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville’s Development Code. See Finding C39.</p>
<p>PDC 4.</p>	<p>Ongoing: All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered as allowed by Wilsonville’s Development Code. See Findings C40 and C41.</p>
<p>PDC 5.</p>	<p>Prior to Temporary Occupancy: The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> • Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch. • Native topsoil shall be preserved and reused to the extent feasible. • Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings. • All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10” to 12” spread. • Shrubs shall reach their designed size for screening within three (3) years of planting. • Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4” pot spaced 2 feet on center minimum, 2-1/4” pots spaced at 18 inch on center minimum. • No bare root planting shall be permitted. • Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. • Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations. • Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding C43.
<p>PDC 6.</p>	<p>Prior to Temporary Occupancy: Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding C45.</p>

PDC 7.	Prior to Non-Grading Building Permit Issuance: To meet the objectives and standards of Section 4.400(.01)-(02) and 4.421 (.03) the applicant shall submit revised architectural elevations for the northwest corner of the building to include additional architectural treatments. Treatments shall include the incorporation of materials used at the entrances of the building, or substantially similar, for the purpose of façade articulation breaking up the massing of the building.
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Request D: Type C Tree Plan (TPLN22-0007)

PDE 1.	General: This approval for removal applies only to the 19 trees identified in the applicant’s submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application.
PDE 2.	Prior to Grading Permit Issuance: The Applicant shall submit an application for a Type ‘C’ Tree Removal Permit on the Planning Division’s Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant shall provide the City’s Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff.
PDE 3.	Prior to Temporary Occupancy / Ongoing: The permit grantee or the grantee’s successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A “guaranteed” tree that dies or becomes diseased during the two (2) years after planting shall be replaced.
PDE 4.	Prior to Commencing Site Grading: Prior to site grading or other site work that could damage trees, the applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees. Removal of the fencing around the identified trees shall only occur if it is determined the trees are not feasible to retain. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. Protective fencing shall not be moved or access granted within the protected zone without arborist supervision and notice of the City of the purpose of proposed movement of fencing or access. See Finding D6.

Request E: Tentative Partition Plat (PART22-0002)

PDF 1.	Prior to Final Plat Approval: Any necessary easements or dedications shall be identified on the Final Subdivision Plat.
PDF 2.	General: The applicant / owner shall submit an application for Final Plat review and approval on the Planning Division Site Development Application and Permit form. The applicant/owner shall also provide materials for review by the City’s Planning Division in accordance with Section 4.220 of the City’s Development Code. The final plat shall be prepared in substantial accord with the tentative partition plat as approved by this action and as amended by these conditions, except as may be subsequently altered by minor revisions approved by the Planning Director.

The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City's Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.

Engineering Division Conditions:

Request: DB22-0009 Stage 2 Final Plan

PF 1.	Public Works Plans and Public Improvements shall conform to the "Public Works Plan Submittal Requirements and Other Engineering Requirements" in Exhibit C1.
PF 2.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing street improvements along Parcel 5 and Parcel 6's frontage on SW Parkway Avenue, including street widening to accommodate a travel lane, one center median, curb, planter strip, street trees, buffered bike lane, sidewalk, streetlights and associated stormwater facilities, along the site frontage on SW Parkway Avenue. Street improvements shall be constructed in accordance with the Public Works Standards. Consistent with the proportionality analysis, any oversized street improvements are eligible for System Development Charge (SDC) Credits and/or reimbursement from the City. When eligible, SDC credits will be issued in accordance with City Code Section 11.110. <u>Prior to final completeness of the Public Works Permit:</u> All street improvements shall be constructed, inspected and approved by the City.
PF 3.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing the closure of the existing driveway onto SW Parkway Avenue. The development shall take access via a drive aisle that connects Printer Parkway and Xerox Drive.
PF 4.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing southbound left-turn lane improvements up to 75 feet in length along SW Parkway Avenue to facilitate southbound left-turn movements as the intersection of SW Parkway Avenue and Printer Parkway. Consistent with the proportionality analysis, any oversized street improvements constructed above the applicant's proportionate share shall be eligible for System Development Charge (SDC) Credits and/or reimbursement from the City. When eligible, SDC credits will issued in accordance with City Code Section 11.110. <u>Prior to final completeness of the Public Works Permit:</u> All street improvements shall be constructed, inspected and approved by the City.

PF 5.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing southbound left-turn lane improvements up to 75 feet in length along SW Parkway Avenue to facilitate southbound left-turn movements as the intersection of SW Parkway Avenue and Xerox Drive. Left-turn lane improvements at this intersection serve other properties and may be eligible for reimbursement in accordance with City Code Section 3.116. <u>Prior to final completeness of the Public Works Permit:</u> All street improvements shall be constructed, inspected and approved by the City.
PF 6.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing separate domestic, irrigation and fire services to serve the new building. All fire hydrants needed to serve the new development shall be publically owned and located in a public water pipeline easement, if necessary. <u>Prior to final completeness of the Public Works Permit:</u> All water system improvements shall be constructed, inspected and approved by the City.
PF 7.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing street improvements along proposed Parcel 5's frontage on SW Printer Parkway, including street widening to accommodate two travel lanes, curb, planter strip, street trees, sidewalk, streetlights and associated stormwater facilities, along the site frontage on Printer Parkway. Street improvements shall be constructed in accordance with the Public Works Standards. <u>Prior to final completeness of the Public Works Permit:</u> All street improvements shall be constructed, inspected and approved by the City.
PF 8.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing bus stop improvements along Printer Parkway including a bench, shelter and pedestrian lighting in accordance with City Code Section 4.177(.06)(B). <u>Prior to final completeness of the Public Works Permit:</u> All bus stop improvements shall be installed, inspected and approved by the City.
PF 9.	<u>With the Public Works Permit application:</u> A final stormwater report shall be submitted for review and approval. The stormwater report shall include information and calculations to demonstrate how the proposed development meets the treatment, flow control, and source control requirements for all new or replacement impervious areas. <u>Prior to final completeness of the Public Works Permit:</u> All stormwater facilities shall be installed, inspected and approved by the City.
PF 10.	<u>Prior to Issuance of any other City Permits:</u> Applicant shall obtain an NPDES 1200C permit from the Oregon Department of Environmental Quality and a Local Erosion Control Permit from the City of Wilsonville. All erosion control measures shall be in place prior to starting any construction work, including any demolition work. Permits shall remain active until all construction work is complete and the site has been stabilized.
PF 11.	<u>With the Public Works Permit application:</u> The construction drawings shall show vaults and conduit for City Fiber in the SW Parkway Avenue right-of-way. <u>Prior to final completeness of the Public Works Permit:</u> All conduit and vaults necessary for City Fiber shall be installed, inspected and approved by the City.

PF 12.	<u>With the Public Works Permit:</u> The construction drawings shall show all existing overhead utilities along the proposed development's frontage on SW Parkway Avenue will be placed underground. <u>Prior to final completeness of the Public Works Permit:</u> All existing overhead utilities along the proposed development's frontage on SW Parkway Avenue shall be placed underground.
PF 13.	<u>With the Public Works Permit:</u> The applicant shall provide to the City a copy of correspondence that plans have been distributed to the franchise utilities. <u>Prior to the issuance of the Public Works Permit:</u> The applicant shall have coordinate the proposed locations and associated infrastructure design for the franchise utilities. Should permanent/construction easement or right-of-way be required to construct or relocate a franchise utility, the applicant shall provide a copy of the recorded documents.
PF 14.	<u>Prior to Any Paving:</u> Onsite stormwater facilities must be constructed and vegetated facilities planted. <u>Prior Issuance of Final Building Certificate of Occupancy:</u> The applicant must execute and record with the County a Stormwater Maintenance and Access Easement Agreement with the City.
PF 15.	<u>Prior to Any Paving:</u> Offsite stormwater facilities must be constructed and vegetated facilities planted. <u>Prior Issuance of Final Building Certificate of Occupancy:</u> The applicant must execute and record with the County a Stormwater Maintenance Agreement with the City.
PF 16.	<u>Prior to Final Building Certificate of Occupancy:</u> The applicant shall record a 36.5-foot right-of-way dedication along Printer Parkway.
PF 17.	<u>Prior to Final Building Certificate of Occupancy:</u> The applicant shall dedicate an 8-foot public utility easement along the Printer Parkway right-of-way.
PF 18.	<u>Prior to Issuance of Any Occupancy Permits:</u> All public infrastructure improvements including but not limited to street, stormwater drainage, water quality and flow control, sanitary sewer, and water facilities shall be substantially complete with approval from the Community Development Director pursuant to Section 4.220 of the Development Code.
PF 19.	<u>Prior to Issuance of Any Occupancy Permits:</u> All necessary easements shall be recorded with the County, including public water line, public access, public utility, stormwater maintenance and access easements and all private utility easements.
PF 20.	<u>Prior to Issuance of Final Building Certificate of Occupancy:</u> The applicant shall provide a site distance certification by an Oregon Registered Professional Engineer for all driveway access per the Traffic Impact Study.

Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB22-0009. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

Planning Staff Materials

- A1. Staff report and findings (this document)
- A2. Essential Nexus/Rough Proportionality Findings
- A3. DKS Traffic Impact Analysis and Memo
- A4. Staff's Presentation Slides for Public Hearing (to be presented at Public Hearing)

Materials from Applicant

- B1. Land Use Narrative
 - Tax Map and Title Report
 - Transportation Impact Study
 - Arborist Report
 - Geotechnical Report
 - Storm water Report
 - Waste and Recycle Hauler Letter
 - Design Narrative
 - TVFR Service Provider Letter
- B2. **Drawing Package:**
 - Part "A" Drawings (Site Design)
 - Part "B" Drawings (Tentative Partition Plat)
- B3. Attorney Communication from Applicant to City Objecting to Improvement Requirements
- B4. June 8, 2023 120-Day Extension Form
- B5. August 9, 2023 120-Day Extension Form
- B6. Color Materials Boards

Development Review Team Correspondence

- C1. Engineering Division Conditions

Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application for Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review, and Type C Tree Plan on October 11, 2022. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on November 10, 2022. The applicant submitted the Tentative Partition Plat Application on November 10, 2022. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on December 9, 2022. As these applications are related and typically reviewed together, staff has added the application to this broader land use application for the Parkworks Industrial Building. The applicant submitted additional material for the combined application on January 4, 2023. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on January 27, 2023. The applicant submitted additional material for the combined application on April 7, 2023. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be complete on April 7, 2023. On June 8, 2023 the applicant chose to extend the 120-day review timeline 45-days to September 19, 2023 pursuant to ORS 227.178(5). Prior to the end of that extension,, on August 9, 2023, the applicant extended the 120-day timeline an additional 144-days ending on December 31, 2023. The City must render a final decision for all requests, including any appeals, by December 31, 2023.

2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	PDI/PDR-6	Industrial / Multifamily Residential
East:	PDI	Industrial / Multifamily Residential
South:	PDI	Industrial
West:	N/A	I-5 Freeway

3. Previous Planning Approvals:

- 74DR08 – Tektronix Preliminary Site Plan & Final Site Plan
- 74RZ03 – Zone Change
- 78DR05 – Site Development and Architectural Plan (Building 63)
- 79DR35 - Site Development and Architectural Plan (Building 83)
- 80DR22 – Final Site Approval (Building 83)
- 88AR40- Minor Partition
- 91AR59 – Modification to Existing Building
- 91PC39 – Stage II (Building 63)
- 90PC03 – Parking Lot Expansion
- 95AR10- Architectural Revisions
- 97AR15- Storage Addition
- 97AR56- Modifications to Existing Building
- 97AR73- Modifications to Existing Building

97DB13- Modifications to Existing Building
97DB18 – Stage II Final Plans and Site Design Plans
97DB33 – Parking Expansion
97DB35 – Stage I Final Plan and Site Design Plan for Parking Expansion
97DB36- Modifications to Existing Building
98AR59 – Landscape Installation
AR15-0031 – Tentative Partition Plat
AR16-0037 – Tentative Partition Plat
AR18-0008 – Final Partition Plat
DB20-0031 – Stage II Final Plan Modification, Site Design Review, Type C Tree Plan,
Master Sign Plan
SI20-0002 – SROZ Review
AR21-0016 – Minor Architectural and Site Modifications

4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information

Application Procedures-In General

Section 4.008

The processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application

Section 4.009

The application has the signature of John Olivier, Executive Vice President of ScanlanKemperBard (SKB), an authorized signer for the property owner, SKB.

Pre-Application Conference

Subsection 4.010 (.02)

The City held a Pre-application conference on November 18, 2021 (PA21-0024) in accordance with this subsection.

Lien Payment before Approval

Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

General Submission Requirements

Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements.

Zoning-Generally

Section 4.110

This proposed development is in conformity with the applicable zoning district and City review uses the general development regulations listed in Sections 4.150 through 4.199.

Request A: Stage 1 Preliminary Plan (STG122-0007)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Planned Development Regulations

Planned Development Purpose & Lot Qualifications

Subsections 4.140 (.01) and (.02)

- A1.** The property is of sufficient size to be developed in a manner consistent the purposes and objectives of Section 4.140. The subject property is greater than 2 acres and is designated for industrial development in the Comprehensive Plan. The property will be developed as a planned development in accordance with this subsection.

Ownership Requirements

Subsection 4.140 (.03)

- A2.** All the land subject to change under the proposal is under a single ownership of SKB-Parkworks, LLC. and the application has been signed by John Olivier, Executive Vice President, authorized to sign on behalf of SKB-Parkworks, LLC.

Professional Design Team

Subsection 4.140 (.04)

- A3.** As can be found in the applicant’s submitted materials, appropriate professionals have been involved in the planning and permitting process. The project architect is Amalia Mohr with LRS Architecture, and the civil engineer is Brad Berry with Atwell.

Planned Development Permit Process

Subsection 4.140 (.05)

- A4.** The subject property is greater than 2 acres, is designated for industrial development in the Comprehensive Plan, and is zoned Planned Development Industrial. The property will be developed as a planned development in accordance with this subsection.

Comprehensive Plan Consistency

Subsection 4.140 (.06)

- A5.** The proposed project, as found elsewhere in this report, complies with the Planned Development Industrial zoning designation, which implements the Comprehensive Plan proposed designation of “Industrial” for this property.

Application Requirements

Subsection 4.140 (.07)

- A6.** Review of the proposed revised Stage 1 Preliminary Plan has been scheduled for a public hearing before the Development Review Board, in accordance with this subsection, and the applicant has met all the applicable submission requirements as follows:

- The property affected by the revised Stage 1 Preliminary Plan is under the sole ownership of SKB-Parkworks, LLC. and the application has been signed by John Olivier, Executive Vice President, authorized to sign on behalf of SKB-Parkworks, LLC.
- The application for a Stage 1 Preliminary Plan has been submitted on a form prescribed by the City.
- The professional design team and coordinator have been identified. See Finding A3.
- The applicant has stated the various uses involved in the Preliminary Plan and their locations.
- The boundary affected by the Stage 1 Preliminary Plan has been clearly identified and legally described.
- Sufficient topographic information has been submitted.
- Information on the land area to be devoted to various uses has been provided.
- Any necessary performance bonds will be required.

Planned Development Industrial (PDI) Zone

Purpose of PDI Zone

Subsection 4.135 (.01)

A7. The uses proposed in the portion of the Stage 1 Preliminary Plan area within the PDI zone are limited to industrial uses, supporting the purpose stated in this subsection.

Uses Typically Permitted

Subsection 4.135 (.03)

A8. The proposed development consists of an industrial building where the intended uses are office space and warehousing/manufacturing. These uses are consistent with the uses typically permitted and are therefore allowed uses.

Prohibited Uses

Subsection 4.135 (.04)

A9. No prohibited uses are proposed by the applicant. Performance standards will be required to be met as part of the Stage 2 Final Plan review.

Block and Access Standards

Subsections 4.135 (.04) and 4.131 (.03)

A10. The drawings submitted by the applicant show development on the subject property providing adequate pedestrian, bicycle, and vehicle connectivity along SW Parkway Avenue and Printer Parkway. The proposed development will be accessed off of Printer Parkway and Xerox Drive.

PDI Performance Standards

Industrial Performance Standards

Subsections 4.135 (.06) A. through N.

A11. The Stage 1 Preliminary Plan enables conformance with the Industrial performance standards. Final compliance will be reviewed with the Stage 2 Final Plans. See Finding B23.

Other Standards for PDI Zone

Lot Size

Subsections 4.135 (.07) A.

A12. Nothing in the Stage 1 Preliminary Plan would prevent lot size requirements from being met.

Setbacks

Subsections 4.135 (.07) C. through E.

A13. Nothing in the Stage 1 Preliminary Plan would prevent setback requirements from being met.

Request B: Stage 2 Final Plan (STG222-0009)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Planned Development Regulations-Generally

Planned Development Purpose & Lot Qualifications

Subsection 4.140 (.01) and (.02)

B1. The proposed Stage 2 Final Plan for development of the subject property is consistent with the Planned Development Regulations purpose statement.

Ownership Requirements

Subsection 4.140 (.03)

B2. All the land subject to change under the proposal is under a single ownership of SKB-Parkworks, LLC and the application has been signed by John Olivier, Executive Vice President, authorized to sign on behalf of SKB-Parkworks, LLC.

Professional Design Team

Subsection 4.140 (.04)

B3. The applicant has utilized a professional design team from a variety of firms in accordance with this subsection. The project architect is Amalia Mohr with LRS Architecture, and the civil engineer is Brad Berry with Atwell.

Stage 2 Final Plan Submission Requirements and Process

Stage 2 Submission Within 2 Years of Stage 1

Subsection 4.140 (.09) A.

- B4.** The applicant is requesting approval of both Stage 1 and Stage 2 Approval, together with Site Design Review, as part of this application. The final plan provides sufficient information regarding conformance with both the preliminary development plan and Site Design Review.

Development Review Board Role

Subsection 4.140 (.09) B.

- B5.** The Development Review Board review considers all applicable permit criteria set forth in the Planning and Land Development Code and staff recommends the Development Review Board approve the application with conditions of approval.

Stage 1 Conformance, Submission Requirements

Subsection 4.140 (.09) C.

- B6.** The Stage 2 plans conforms to the proposed Stage 1 Master Plan. The applicant's submitted drawings and other documents show all the additional information required by this subsection.

Stage 2 Final Plan Detail

Subsection 4.140 (.09) D.

- B7.** The applicant's submitted materials provide sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan, landscape plans, and elevation drawings.

Submission of Legal Documents

Subsection 4.140 (.09) E.

- B8.** The Development Review Board does not require any additional legal documentation for dedication or reservation of public facilities.

Expiration of Approval

Subsection 4.140 (.09) I. and Section 4.023

- B9.** The Stage 2 Approval, along with other associated applications, will expire two (2) years after approval, absent the granting of an extension in accordance with these subsections.

Consistency with Plans

Subsection 4.140 (.09) J. 1.

- B10.** The site's zoning, Planned Development Industrial, is consistent with the Industrial designation in the Comprehensive Plan. The Transportation Systems Plan calls for frontage and road improvements along Parkway Ave and Printer Parkway. The plans submitted by the applicant show the full extent of the required improvements. Conditions of Approval will ensure the road improvements are constructed consistent with the Transportation Systems Plan and Public Works Construction Standards.

Traffic Concurrency

Subsection 4.140 (.09) J. 2.

B11. The City's traffic consultant, DKS Associates, calculates that the proposed 91,733 square foot warehouse building will generate 548 daily trips with 58 AM peak hour trips (44 in, 14 out) and 52 PM peak hour trips (16 in, 36 out). It will generate 5 new trips through the I-5/Wilsonville Road Interchange area, and 20 new trips through the I-5 Elligsen Road Interchange Area. Traffic operations at the three intersections studied as part of the traffic impact analysis are shown to continue meeting the LOS D standard. Southbound left-turn lanes on SW Parkway Avenue at Printer Parkway and Xerox Drive meet the left-turn criteria established by ODOT and improvements are necessary. A traffic impact analysis is included in in Exhibit A3.

The traffic impact analysis and Transportation System Plan identifies several existing safety deficiencies including components of Parkway Avenue, Printer Parkway and the intersections of Printer Parkway/Parkway Avenue and Xerox Drive/Parkway Avenue which is of high concern for the development as a 25% increase in volume to capacity on the Printer Parkway/Parkway Avenue intersection, and a 41.67% increase in volume to capacity at the Xerox Drive/Parkway Avenue intersection is predicted. Parkway Avenue is a freight route with a high speed limit of 45 miles per hour a lack of queuing lanes, and no separation for modes of transportation. All of these factors contribute to the importance of addressing the identified safety deficiencies along Parkway Avenue, specifically the addition of pocket left turn lanes to prevent queuing and reduce risk of accidents.

Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

B12. Facilities and services, including utilities in SW Parkway Ave, are available and sufficient or will be with conditions of approval to serve the proposed development. A new water meter and backflow device is proposed off SW Parkway Ave to serve Building 63.

The new development will have frontage along Parkway Avenue and Printer Parkway and take access from both. Neither of these streets have been improved to an urban level in accordance with the City's Public Works Standards and Transportation System Plan. Existing facilities and services relating to transportation are not sufficient to support the proposed development according the Traffic Impact Analysis. Improvements to Parkway Avenue, Printer Parkway, and the left turn lanes turning onto SW Printer Parkway and Xerox Drive are included as Conditions of Approval to ensure the facilities will be sufficient for the proposed development.

Adherence to Approved Plans

Subsection 4.140 (.10) A.

B13. Condition of Approval PDB 1 ensures adherence to approved plans except for minor revisions by the Planning Director.

Standards Applying in All Planned Development Zones

Underground Utilities

Subsection 4.118 (.02)

B14. The applicant's "full scope of improvements" (Sheet C101 of Exhibit B2 Part "A") plans show all utilities underground. A condition of approval will ensure the undergrounding of utilities as required.

Waivers

Subsection 4.118 (.03)

B15. The applicant does not request any waivers.

Other Requirements or Restrictions

Subsection 4.118 (.03) E.

B16. Staff does not recommend any additional requirements or restrictions pursuant to this subsection.

Impact on Development Cost

Subsection 4.118 (.04)

B17. Implementation of standards and imposing conditions beyond minimum standards and requirements does not unnecessarily increase the cost of development. As noted Exhibit B3, the Applicant does not agree with the City's determination regarding required improvements. See Exhibit A2 for the relevant findings regarding proportionality as it relates to the required improvements.

Condition of Approval PDC 7 requires the enhancement of the building facade to include either a variety of materials or articulation. These requested enhancements are not expected to increase costs unnecessarily for the applicant. See findings C1, C3, C5 and C8 for details regarding the proposed design and how enhancements are necessary to meet the objectives of 4.400 and the standards of 4.421 (.03).

Requiring Tract Dedications or Easements for Recreation Facilities, Open Space, Public Utilities

Subsection 4.118 (.05)

B18. Staff does not recommend any additional tract dedication for recreational facilities, open space, or easements for orderly extension of public utilities consistent with this subsection.

Habitat Friendly Development Practices

Subsection 4.118 (.09)

B19. The applicant will implement habitat-friendly development practices to the extent practicable. Grading will be limited to that needed for the proposed improvements, no significant native vegetation would be retained by an alternative site design, the City's stormwater standards will be met, thus limiting adverse hydrological impacts on water resources, and no impacts on wildlife corridors or fish passages have been identified.

Planned Development Industrial (PDI) Zone

Purpose of PDI Zone Subsection 4.135 (.01)

B20. The stated purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses. The proposed development includes an industrial spec building intended for warehousing or manufacturing with accessory office space and is consistent with the purpose stated in this subsection.

Typically Permitted Uses Subsection 4.135 (.03)

B21. The uses proposed in the Stage 2 Final Plan are consistent with the Stage 1 Master Plan. The proposed development consists of an industrial spec building where the intended uses are office space, warehousing or manufacturing. These uses are consistent with the uses typically permitted and are allowed outright within the PDI zone.

Block and Access Standards Subsections 4.135(.04) and 4.131 (.03)

B22. Conditions of approval will ensure block and access standards are met including half street improvements on Parkway Avenue, pedestrian connections, a bike path along Parkway Avenue and two bus stops.

Industrial Performance Standards

Industrial Performance Standards Subsection 4.135 (.05)

B23. The proposed project meets the performance standards of this subsection as follows:

- Pursuant to standard A (enclosure of uses and activities), all non-parking activities and uses will be completely enclosed.
- Pursuant to standard B (vibrations), there is no indication that the proposed development will produce vibrations detectable off site without instruments.
- Pursuant to standard C (emissions), there is no indication the proposed use would produce the odorous gas or other odorous matter.
- Pursuant to standard D (open storage), no outdoor storage of mixed solid waste and recycling is proposed.
- Pursuant to standard E (night operations and residential areas), the proposed use is proposed further than 100 feet from any residential area.
- Pursuant to standard F (heat and glare), the applicant proposes no exterior operations creating heat and glare.
- Pursuant to standard G (dangerous substances), there are no prohibited dangerous substances expected on the development site.
- Pursuant to standard H (liquid and solid wastes), staff has no evidence that the operations would violated standards defined for liquid and solid waste.

- Pursuant to standard I (noise), staff has no evidence that noise generated from the proposed operations would violate the City's Noise Ordinance and noises produced in violation of the Noise Ordinance would be subject to the enforcement procedures established in WC Chapter 6 for such violations.
- Pursuant to standard J (electrical disturbances), staff has no evidence that the proposed use would have any prohibited electrical disturbances.
- Pursuant to standard K (discharge of air pollutants), staff has no evidence that the proposed use would produce any prohibited discharge.
- Pursuant to standard L (open burning), the applicant proposes no open burning.
- Pursuant to standard M (outdoor storage), the applicant does not propose outdoor storage.
- Pursuant to standard N (unused area landscaping), no unused areas will be bare.

On-site Pedestrian Access and Circulation

Continuous Pathway System

Subsection 4.154 (.01) B. 1.

B24. As shown on the applicant's site plan in Exhibit B2 Part "A" Sheet A001, the proposed pedestrian pathway system (sidewalks) will provide pedestrian access to the new development along Parkway Avenue and Printer Parkway. Pathways extend from the sidewalk along Parkway Avenue east to connecting the sidewalk directly to the new building. Similarly, on the north side of the property, a pathway from Printer Parkway sidewalk provides access for pedestrians to the new building. Sidewalks are proposed throughout the parking area, providing safe access for employees and visitors.

Safe, Direct, Convenient Pathways

Subsection 4.154 (.01) B. 2.

B25. Proposed pedestrian pathways are flat, paved, ADA compliant sidewalks. Where crossing the parking area, the applicant proposes a 5-foot wide concrete sidewalk. The pathways provide direct access to the building from the parking area on all sides of the site. Pathways connect to all primary (and secondary) building entrances.

Vehicle/Pathway Separation-Vertical or Horizontal

Subsection 4.154 (.01) B. 3.

B26. The proposed design of pedestrian pathways provide for vertical separation from vehicle circulation areas.

Crosswalks Clearly Marked

Subsection 4.154 (.01) B. 4.

B27. The use of concrete for the internal sidewalks and pathways clearly differentiates the pathways from the parking area.

Pathways Width and Surface-5 Foot Wide, Durable Surface

Subsection 4.154 (.01) B. 5.

B28. The applicant proposes concrete pathways for pedestrian access throughout the site. Review at time of building permit will confirm all pathways are a minimum of five feet wide.

Parking and Loading

Parking Design Standards
Section 4.155 (.02) and (.03)

B29. The applicable parking designs standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for Parking	<input checked="" type="checkbox"/>	The applicant proposes standard parking spaces that are at least 9' by 18' and compact spaces that are at least 9' by 15', and 24' wide drive aisles, meeting the Development Code's standards.
I. Sturdy bumper guards or curbs of at least 6 inches to prevent parked vehicles crossing property line or interfering with screening or sidewalks.	<input checked="" type="checkbox"/>	Curbs of at least 6 inches in width are provided where required to prevent interference with sidewalks, especially for the ADA spaces.
J. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	Surfaced with asphalt.
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage is professionally designed and being reviewed to meet City standards
K. Lighting won't shine into adjoining structures or into the eyes of passers-by.	<input checked="" type="checkbox"/>	Lighting is proposed to be fully shielded and meet the City's Outdoor Lighting Standard
N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	26 of the 260 parking spaces are compact, well below the maximum of 40%.
O. Where vehicles overhang curb, planting areas at least 7 feet in depth.	<input checked="" type="checkbox"/>	The narrowest planting area adjacent to parking spaces exceeds the 7 foot depth requirement.
Subsection 4.155 (.03) General Standards		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	Access drive and drive aisle are 24 feet or more, providing an adequate 12 foot travel lane each direction.
A.1. Loading and delivery areas and circulation separate from customer/employee parking and pedestrian areas.	<input checked="" type="checkbox"/>	The loading and delivery area is located on the east side of the property. Employee and visitor parking is concentrated on the north and south portions of the site. No pedestrian

		pathways are located within the loading and delivery areas safely separating pedestrians from vehicles.
Circulation patterns clearly marked.	<input checked="" type="checkbox"/>	The proposed design is typical industrial parking lot design and intuitive to a driver familiar with typical industrial parking lots.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	The plans clearly delineate separate vehicle and pedestrian traffic areas and separate them except for crosswalks.
C. Safe and Convenient Access, meet ADA and ODOT Standards.	<input checked="" type="checkbox"/>	The proposed parking and access enable the meeting of ADA and ODOT standards.
For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	<input checked="" type="checkbox"/>	The proposal provides 8 ADA parking spaces for 262 parking spaces exceeding the required ADA spaces by 2.
D. Where possible, parking areas connect to adjacent sites.	<input checked="" type="checkbox"/>	The parking areas connect to the existing industrial development to the east.
Efficient on-site parking and circulation	<input checked="" type="checkbox"/>	The careful and professional design of the parking provides for safety and efficiency and is a typical design with standard parking space and drive aisle size and orientation.

Minimum and Maximum Number of Parking Spaces

Subsections 4.155 (.03) G., Table 5

B30. The proposed industrial building requires a minimum of 191 parking spaces. The applicant proposes 262 parking spaces. There is no maximum parking for the site due to the proposed manufacturing use. Based on an evaluation of the site plan provided by the applicant the development meets the off-street parking requirements of the above subsections. The calculation of parking spaces is as follows:

Use and Parking Standard	Square Feet	Minimum Off-street Spaces Required	Maximum Off-street Spaces Allowed	Proposed Off-street Spaces	Minimum Bicycle Parking Spaces	Proposed Bicycle Parking Spaces
Office or flex space (except medical and dental)	20,263 sf	2.7 per 1,000 = 54	4.1 per 1,000 = 83	--	1.0 per 5,000 (min 2) = 4	--
Manufacturing	71,470 sf	1.6 per 1,000 = 115	No limit	--	1.0 per 10,000 (min 6) = 8	
Warehouse	71,470 sf	.3 per 1,000 = 22	.5 per 1,000 = 36	--	1.0 per 20,000 (min 2) = 4	
Total	91,733 sf	191	No limit	262	12	10

Parking Area Landscaping

Minimizing Visual Dominance of Parking

Subsection 4.155 (.03) B.

B31. The applicant proposes landscaping throughout the parking area helping to minimize the visual dominance of the paved parking area.

B32.

10% Parking Area Landscape Requirement

Subsection 4.155 (.03) B. 1.

B33. According to the applicant's narrative the parking area is 90,418 square feet. 24,416 square feet of the parking area is landscaped providing 27% of landscaped area. The landscape area provided is well in excess of the 10% requirement.

B34.

Landscape Screening of Parking

Subsection 4.155 (.03) B. 1.

B35. The proposed design screens the parking area from adjacent properties and adjacent rights-of-way by physical distance and proposed landscaping and vegetation. The low-screen standard is to be applied on the west and north edges of the parking area to screen parking from the adjacent right of ways.

Tree Planting Area Dimensions

Subsection 4.155 (.03) B. 2.

B36. The landscape plan shows 54 new trees planted in the parking lot areas. The proposed trees meet the dimensional requirements of the above section.

Parking Area Tree Requirement

Subsection 4.155 (.03) B. 2. and 3 a

B37. The proposed development contains 262 surface parking spaces. One (1) tree is required for every six (6) parking spaces. The tree planting requirement for the parking lot is 44 trees. The applicant proposes 54 new trees within the parking lot area, which exceeds the minimum requirement.

Parking Area Tree Clearance

Subsection 4.155 (.03) B. 2.b.

B38. The applicant will maintain all trees listed for planting in the parking area and expected to overhang the parking areas to provide a 7-foot vertical clearance.

Parking Area Shading

Subsection 4.155 (.03) B. 3.b.

B39. The applicant's landscape plan and narrative confirm 40% of the parking area will be shaded by the proposed parking area trees.

B40.

Parking Area Internal Pedestrian Circulation

Subsection 4.155 (.03) B. 3.c.

- B41.** Internal pedestrian walkways are provided throughout the parking area at a minimum of 5ft in width with safe connections to the building meeting this standard.

Parking Area Low-Screening

Subsection 4.155 (.03) B. 3.e.

- B42.** The landscape plan shows landscape buffers of at least 12 feet in depth on the north and west perimeters of the parking area. These landscape buffers will be planted to meet the low screen standard to shield the parking from the adjacent right of way.

Bicycle Parking

Required Bicycle Parking

Section 4.155 (.04) A. 1.

- B43.** Office uses require one bicycle parking space per 5,000 square feet or a minimum of two (2) bicycle parking spaces. Warehouse uses require one bicycle parking space per 20,000 square feet or a minimum of two (2) bicycle parking spaces. Manufacturing requires the applicant to provide one (1) bicycle parking space for every 10,000 square feet or a minimum of 6. The requirement for the office portion of the site is four (4) bicycle parking spaces. The requirement for the warehouse portion of the site is four (4) bicycle parking spaces. The requirement for the warehouse portion of the site is eight (8) bicycle parking spaces. The overall requirement for the site is twelve (12) spaces. The applicant has proposed to provide ten (10) bicycle parking spaces. Condition of approval PDB 2 will require twelve (12) bicycle parking spaces are provided.

While the applicant provides bike racks on the property the code requires 50% of the total parking requirement for bicycles to be developed as long term bicycle parking spaces when six (6) or more bicycle parking spaces are required. Although the applicant's narrative states that the applicant will provide bicycle parking according to these standards long term bicycle parking is not shown on the plans. Condition of approval PDB2 will ensure 50% of the bicycle parking is long term parking.

Bicycle Parking Standards

Section 4.155 (.04) B.

- B44.** The applicant's plans show bicycle parking at the main entrance of the building and adjacent to the secondary entrance on the east side of the building. The applicant's narrative states that the bicycle parking spaces will comply with the 2' width and 6' length requirement with 5 feet of maneuvering space behind each space. Sheet A001 demonstrates compliance with this standard for the short term bicycle parking spaces, however this is not shown for the long term bicycle parking spaces, therefore a condition of approval PDB2 ensures compliance with this standard.

Other Parking Standards

Minimum Off-Street Loading Requirements

Section 4.155 (.05)

B45. The subject property will be a warehousing or manufacturing use. The building will include five (5) loading docks to facilitate the use of the site. Based on the square footage of the use two (2) off-street loading space would be required. The applicant provides five (5) off street loading berths meeting the size requirements of 12 feet wide, 35 feet long, with a height clearance of 14 feet.

Carpool and Vanpool Parking Requirements

Section 4.155 (.06)

B46. Condition of approval PDB 3 will require thirteen (13) of the provided parking spaces to be marked as carpool/vanpool in accordance to this standard.

Other Development Standards

Access, Ingress, and Egress

Section 4.167

B47. Site access is proposed in two locations with an access point from the south off of Xerox Drive and from the north off of Printer Parkway.

B48.

Natural Features and Other Resources

Section 4.171

B49. While the property is currently undeveloped and contains 22 trees located on site the arborist report did not identify trees of high enough quality to warrant preservation of the trees. The applicant will follow development practices that align with the protection of natural features.

Outdoor Lighting

Sections 4.199.20 through 4.199.60

B50. The outdoor lighting standards apply to the proposal is required to meet the Outdoor Lighting Standards. See Request C, Findings C47 through C51.

Underground Installation of Utilities

Sections 4.300-4.320

B51. All utilities are required to be underground. Condition of approval PF 12 will ensure utilities are undergrounded as a part of the development.

Public Safety and Crime Prevention

Design for Public Safety, Surveillance and Access

Subsections 4.175 (.01) and (.03)

B52. The proposed development is designed to a reasonable extent to deter crime and ensure public safety. The proposed development includes lighting throughout the parking area. The site has been designed in such a way that visibility is clear throughout the site.

Addressing and Directional Signing

Subsection 4.175 (.02)

B53. Addressing will meet public safety standards. The building permit process will ensure conformance.

Lighting to Discourage Crime

Subsection 4.175 (.04)

B54. Lighting design is in accordance with the City's outdoor lighting standards, which will provide sufficient lighting to discourage crime.

Landscaping Standards

Landscaping Standards Purpose

Subsection 4.176 (.01)

B55. In complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage 2 Final Plan is in compliance with the landscape purpose statement.

Landscape Code Compliance

Subsection 4.176 (.02) B.

B56. The applicant requests no waivers or variances to landscape standards. All landscaping and screening must comply with standards of this section.

Intent and Required Materials

Subsections 4.176 (.02) C. through I.

B57. The applicant's planting plan implements the landscaping standards and integrates general and low screen landscaping throughout the site, consistent with professional landscaping and design best practices. Plantings meeting the low screen standard will be utilized along the north and west perimeters of the parking areas.

Landscape Area and Locations

Subsection 4.176 (.03)

B58. The proposed development will exceed the 15% landscaping requirement. The subject property is 279,568 square feet and provides 56,210 square feet of landscaping which is 20.1% of the site. Of the 90,418 square feet of parking area, 27% or 24,416 square feet will be landscaped. 43% of the site's landscaping is within the parking area. The remaining 57% of landscaping is distributed throughout the site within stormwater swales and along the north, south and west property lines. Plantings are proposed along the entire frontage of SW Parkway Avenue to soften the appearance of the new building, as well as the parking

areas of the site. The landscaping will include trees, shrubs, ground cover and grasses planted in parking areas, general landscape areas, and stormwater facilities.

Buffering and Screening

Subsection 4.176 (.04)

B59. The subject property is zoned PDI and borders PDI zoning to the north, east, and south with the I-5 Freeway to the west. Low-screen standards will be met on the perimeter of the parking areas on the north and west property lines to shield the parking area from public view and the right of way.

Landscape Plan Requirements

Subsection 4.176 (.09)

B60. The applicant's submitted landscape plans are drawn to scale and show the type, installation size, number and placement of materials. Plans include a plant material list identifying plants by both their scientific and common names. A note on the landscape plan indicates the irrigation method.

Street Improvement Standards

Development and Associated Improvement Standards

Subsection 4.177 (.01) and 4.262 (.01)

B61. As required by these subsections, Conditions of Approval will ensure that improvements proportional to the impact of the proposed development are completed on Parkway Avenue and Printer Parkway in order to bring the streets into compliance with the City's Public Works Construction Standards and Transportation Systems Plan (TSP). See Exhibit A2 and findings F11- F15 for findings regarding the required improvements and proportionality calculations.

Street Design Standards

Subsection 4.177 (.02) and 4.262 (.01)

B62. Half street improvements consistent with the cross sections identified in the TSP are required along Parkway Avenue including street widening to accommodate a travel lane, one center median, curb, planter strip, street trees, buffered bike lane, sidewalk, streetlights and associated storm water facilities, along the site frontage on SW Parkway Avenue. See Condition of Approval PF 2. Improvements consistent with the cross sections identified in the TSP will also be required along Printer Parkway including street widening to accommodate two travel lanes, curb, planter strip, street trees, sidewalk, streetlights and associated stormwater facilities, along the site frontage on Printer Parkway. See Condition of Approval PF 7. In addition to the street improvements along Parkway Avenue and Printer Parkway, improvements are required to the southbound left-turn lane along SW Parkway Avenue to facilitate southbound left-turn movements at the intersection of SW Parkway Avenue and Printer Parkway. See Condition of Approval PF 3. Improvements are also required to the southbound left-turn lane along SW Parkway Avenue to facilitate

southbound left-turn movements onto Xerox Drive, which is a private drive that will remain private at this time, at the intersection of SW Parkway Avenue and Xerox Drive. See Condition of Approval PF 5. See finding B11 for additional information regarding traffic concurrency in relation to the required improvements.

Sidewalks

Subsection 4.177 (.03) and 4.262 (.03)

B63. Sidewalks are required along street frontages for all developments at a minimum of 5 ft in width. Conditions of approval PF 2 and PF 7 will ensure the construction of the required sidewalks along Parkway Avenue and Printer Parkway.

Bicycle Facilities

Subsection 4.177 (.04) and 4.262 (.0)

B64. In accordance with this subsection and the cross sections identified in the TSP, buffered bike lanes are required along Parkway Avenue. See Condition of Approval PF 2.

Transit Improvements

Subsection 4.177 (.06)

B65. The proposed development will generate more than 49 or more pm peak hour trips and therefore a bus stop improvement consistent with the Public Work Standards shall be provided. Condition of approval PF 8 will require bus stop improvements along Printer Parkway including a bench, shelter and pedestrian lighting in accordance with this subsection.

Access Drives and Driveway Approaches

Subsection 4.177 (.08)

B66. The design of the access drives provides clear travel lanes, free from obstructions. The design shows all drive aisles as asphalt. The development shall take access via a drive aisle that connects Printer Parkway and Xerox Drive. Condition of Approval PF 3 requires the existing access onto Parkway Avenue is closed.

Mixed Solid Waste and Recyclables Storage

DRB Review of Adequate Storage Area, Minimum Storage Area

Subsections 4.179 (.01)

B67. The proposed development includes one combined solid waste and recyclable storage area within the building. The enclosure is shown on Sheets A001 and in Exhibit B2. The trash enclosure is 549 square feet. The minimum requirement for the site is 510 square feet based on the following calculations:

Building	Use	Size	Min. Storage
Administration Building	Office	20,263	81 square feet

Warehouse Building	Warehouse/Manufacturing	71,470	429 square feet
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Review by Franchise Garbage Hauler
 Subsection 4.179 (.07).

B68. The applicant’s Exhibit B1 contains a letter from Republic Services indicating coordination with the franchised hauler, and that the proposed storage area and site plan meets Republic Services requirements.

Request C: Site Design Review (SDR22-0009)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Site Design Review

Excessive Uniformity, Inappropriateness Design
 Subsection 4.400 (.01) and Subsection 4.421 (.03)

- C1.** Staff summarizes the compliance with this subsection as follows:
- Excessive Uniformity:** The proposed development is unique to the particular development context and does not create excessive uniformity.
 - Inappropriate or Poor Design of the Exterior Appearance of Structures:** While the applicant used appropriate professional services to design structures on the site using quality materials and design the new industrial flex building is lacking in articulation on portions of the building, particularly on the northwest corner along the I-5 frontage. Along this frontage, the building design relies primarily on variation in paint color in an attempt to break up the massing of the building, which will be a large tilt up concrete building. Without variation in articulation or materials, the massing of the building is overwhelming in scale and monotonous. As the proposed project is adjacent to the I-5 Freeway, it will be a prominent building in Wilsonville. The building will be one of the first large industrial developments seen by travelers in vehicles headed south on I-5. Due to the prominence of the building and lack of articulation or variation in materials on this corner, it is staff’s recommendation that the design is enhanced to meet the standards of this section and reflect the City’s goal of harmonious development. Condition of approval PDC 7 will require the addition of architectural articulation and variation in materials on the northwest corner of the building in order to enhance the appearance of the building.
 - Inappropriate or Poor Design of Signs:** No building signs are proposed.
 - Lack of Proper Attention to Site Development:** The applicant employed the skills of the appropriate professional services to design the site, demonstrating appropriate attention to site development.
 - Lack of Proper Attention to Landscaping:** The applicant proposes landscaping exceeding the area requirements professionally designed by a landscape architect, incorporating a variety of plant materials, demonstrating appropriate attention to landscaping.

Objectives and Standards of Site Design Review

Proper Functioning of the Site

Subsection 4.400 (.02) A. and Subsection 4.421 (.03)

- C2.** The professionally designed site demonstrates significant thought to make the site functional and safe. A drive aisle wide enough for two-way traffic, standard size parking stalls, a complete pathway network, and access meeting City standards are among the site design features contributing to functionality and safety.

High Quality Visual Environment

Subsection 4.400 (.02) A. and Subsection 4.421 (.03)

- C3.** The project includes professionally designed building, landscaping and a professional, site specific, layout supports a quality visual environment. Landscaping is thoughtfully planted along the sidewalk to both provide shade and enhance the visual environment. Condition of approval PDC 7 will ensure the building's architecture is enhanced at the northwest corner.

Encourage Originality, Flexibility, and Innovation

Subsection 4.400 (.02) B. and Subsection 4.421 (.03)

- C4.** The applicant proposes buildings, landscaping, and other site elements professionally designed specifically for the site. Sufficient flexibility exists to fit the planned development within the site without seeks waivers or variances.

Discourage Inharmonious Development

Subsection 4.400 (.02) C. and Subsection 4.421 (.03)

- C5.** As indicated in Findings C1, C3, and C8 while the professional unique design of landscaping a high quality visual environment and thus prevent monotonous, drab, unsightly, dreary development the façade of the proposed building has not met this objective. Variation in materials is applied at the entrances of the buildings but not throughout the façade, particularly adjacent to the high-visibility I-5 frontage. Paint is relied on as the sole technique to break up the massing of the façade. Condition of approval PDC 7 ensure the building's architecture is enhanced at the building's northwest corner to meet this objective. Use of long lasting materials as well as landscaping will make the site more harmonious with adjacent and nearby development.

Proper Relationships with Site and Surroundings

Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- C6.** The applicant prepared a professional site-specific design that carefully considers the relationship of the building, landscaping, and other improvements with other improvements on and adjacent to the site, existing and planned.

Regard to Natural Aesthetics

Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- C7. The site contains does not have native vegetation of high enough quality to warrant preservation. While they will not retain natural features the applicant will be replanting a variety of trees onsite including natives such as vine maples and western red cedars.

Attention to Exterior Appearances

Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- C8. The applicant used appropriate professional services to design the exterior of the building. Section 4.421 (.03) authorizes the Development Review Board to apply the objectives outlined in the purpose statement of Section 4.400 as additional criteria and standards for site design review. The main entrance of the building has been emphasized through the addition of a rust colored metal panel emphasizing the prominence of the entrance and breaking up the large massing of the building which in turn will present as a more comfortable scale for pedestrians entering the building. Red cedar, glazing and dark brown coping are also utilized in the façade surrounding the entrance of the building to differentiate from the rest of the building and create a more aesthetically pleasing look. While attention has been paid to enhancing the entrances of the building, the majority of the building relies on variation in paint color without incorporating material variation or articulation in the design. Given this, a condition of approval PDC 7 will ensure the building's architecture is enhanced to break up the excessive uniformity present throughout the majority of the façade. See Finding C1 for additional details regarding how the proposed design is does not achieve the objective of preventing excessive uniformity and inappropriate design by discouraging monotonous developments.

ELEVATION DESIGN
NE Approach View



ELEVATION DESIGN
NW Approach View



ELEVATION DESIGN
SW Approach View



Protect and Enhance City's Appeal

Subsection 4.400 (.02) E. and Subsection 4.421 (.03)

- C9.** The applicant is proposing a new industrial flex building. The proposed development will enhance the appeal of the city by creating job opportunities and utilizing available land within the City.

Stabilize Property Values/Prevent Blight

Subsection 4.400 (.02) F. and Subsection 4.421 (.03)

- C10.** The applicant is developing an undeveloped site within the city, and thus prevents blight.

Adequate Public Facilities

Subsection 4.400 (.02) G. and Subsection 4.421 (.03)

- C11.** As found in the Stage 2 Final Plan review, see Request B, adequate public facilities serve the site or will with conditions of approval.

Pleasing Environments and Behavior

Subsection 4.400 (.02) H. and Subsection 4.421 (.03)

- C12.** The proposed development provides a clearly defined layout and is designed in a configuration that meets defensible space guidelines such as the inclusion of clear sightlines that allow for surveillance and clearly identified structures.

Civic Pride and Community Spirit

Subsection 4.400 (.02) I. and Subsection 4.421 (.03)

C13. The proposed development will help foster civic pride and community spirit as it supports the City's long standing successful industrial areas that are central to the City's identity.

Favorable Environment for Residents

Subsection 4.400 (.02) J. and Subsection 4.421 (.03)

C14. Adding a new industrial development with a quality design will create jobs, improve the surrounding industrial area, and provide a favorable environment to residents and potential employees.

Jurisdiction and Power of the DRB for Site Design Review

Development Must Follow DRB Approved Plans

Section 4.420

C15. Condition of Approval PDC 1 ensures construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The City will not issue any building permits for portions of the improvements requiring DRB review prior to DRB approval.

Design Standards

Preservation of Landscaping

Subsection 4.421 (.01) A.

C16. The development will occupy the entirety of the site and thus natural features will not be retained. Due to the nature of the industrial building it is not practical to preserve the existing trees that will be in the path of the loading trucks. No substantial changes to the existing elevation are proposed.

Harmony of Proposed Buildings to Environment

Subsection 4.421 (.01) B.

C17. The applicant used appropriate professional services to design the exterior of the building to ensure harmony with the environment. The area surrounding the subject property is predominantly industrial. The applicant has utilized materials that relate to the existing brick buildings throughout the adjacent industrial campus with a modern perspective. The orange rust color incorporated throughout provides an accent color that reflects the current aesthetic. The applicant has utilized materials that are typically employed in industrial development, but has utilized a variety of colors, materials, and textures to add interest and create harmony with the adjacent environment. Condition of approval PDC 7 will ensure that the design of the building is enhanced. Landscaping is included around all structures to either enhance the appearance of or screen industrial uses.

Special Attention to Drives, Parking, and Circulation- Access Points

Subsection 4.421 (.01) C.

C18. All new access points are existing and will be conditioned to meet City standards. No changes are proposed to existing access points.

Special Attention to Drives, Parking, and Circulation- Interior Circulation
Subsection 4.421 (.01) C.

C19. The interior circulation is at least 24 feet wide allowing for adequate space for pulling out of the individual spaces and for two-way traffic to pass. The loading area is separate from the main parking areas preventing conflict between pedestrians and freight vehicles.

Special Attention to Drives, Parking, and Circulation- Pedestrian and Vehicle Separation
Subsection 4.421 (.01) C.

C20. The design separates pedestrian and vehicle circulation except at necessary cross walks. Pedestrian connections are provided throughout the parking area for safe access.

Special Attention to Drives, Parking, and Circulation- Safe and Convenient Parking Areas
Subsection 4.421 (.01) C.

C21. The applicant has worked with a professional design team to ensure the new parking area is safe and convenient. The parking area is conveniently located for access to the building. The parking space size and drive aisle width is a typical design allowing adequate area for safe maneuvering.

Special Attention to Drives, Parking, and Circulation- Parking Detracting from Design
Subsection 4.421 (.01) C.

C22. The proposed development adequately separates vehicular and pedestrian traffic. Drive aisles and crosswalks are clearly indicated. The proposed parking areas are convenient and designed to be screened from off site view either through landscaping or by being located below grade.

Special Attention to Surface Water Drainage
Subsection 4.421 (.01) D.

C23. The proposed development provides parking areas which will contain water quality features consistent with City standards. These features are dispersed throughout the parking lot and will help improve water quality throughout the property. Four facilities are included as part of the development in the following locations: the east and west corners of the northern parking area and the east perimeter and center of the southern parking area. The proposed improvements will not adversely affect neighboring properties through the storm drainage system.

Indication of Sewage Disposal
Subsection 4.421 (.01) E.

C24. All sewage disposal will be via standard sewer connections to City sewer lines found to be adequate to serve the site as part of the Stage 2 Final Plan.

Advertising Features Do Not Detract

Subsection 4.421 (.01) F.

C25. No signs or advertising features are proposed with this development.

Screening and Buffering of Special Features

Subsection 4.421 (.01) G.

C26. The applicant does not propose any special features requiring additional screening or buffering.

Design Standards Apply to All Buildings, Structures, Signs, and Features

Subsection 4.421 (.02)

C27. No accessory structures or signs are proposed with this development.

Conditions of Approval to Ensure Proper and Efficient Function

Subsection 4.421 (.05)

C28. Staff does not recommend any additional conditions of approval to ensure the proper and efficient functioning of the development.

Color or Materials Requirements

Subsection 4.421 (.06)

C29. The colors and materials proposed by the applicant are appropriate but not incorporated throughout. Condition of approval PDC 7 will require a variation in materials or articulation at the northwest corner of the proposed building.

Standards for Mixed Solid Waste and Recycling Areas

Mixed Solid Waste and Recycling Areas Colocation

Subsection 4.430 (.02) A.

C30. The proposal provides an interior storage area for both solid waste and recyclables.

Exterior vs Interior Storage, Fire Code, Number of Locations

Subsections 4.430 (.02) C.-F.

C31. The applicant proposes a single interior location. Review of the Building Permit will ensure meeting of building and fire code.

Collection Vehicle Access, Not Obstruct Traffic or Pedestrians

Subsections 4.430 (.02) G.

C32. The applicant has included a letter from Republic Services in Exhibit B1 which indicates the location and arrangement is accessible to collection vehicles. The location of the storage area does impede sidewalks, parking area aisles, or public street right-of-way.

Dimensions Adequate to Accommodate Planned Containers
Subsections 4.430 (.03) A.

C33. Pursuant to a letter from Republic Services in Exhibit B1, the dimensions are adequate to accommodate the planned containers.

Site Design Review Submission Requirements

Submission Requirements
Section 4.440

C34. The applicant submitted a site plan drawn to scale and a detailed landscape plan.

Time Limit on Site Design Review Approvals

Void after 2 Years
Section 4.442

C35. The Applicant plans to develop the proposed project within two years and understands that the approval will expire after two years unless the City grants an extension.

Installation of Landscaping

Landscape Installation or Bonding
Subsection 4.450 (.01)

C36. Condition of Approval PDC 2 will assure installation or appropriate security.

Approved Landscape Plan Binding
Subsection 4.450 (.02)

C37. Condition of Approval PDC 3 provides ongoing assurance approved landscaping is installed and maintained.

Landscape Maintenance and Watering
Subsection 4.450 (.03)

C38. Condition of Approval PDC 4 will ensure continual maintenance of landscaping in a substantially similar manner as originally approved by the Board.

Limitation to Modifications of Landscaping
Subsection 4.450 (.04)

C39. Condition of Approval PDC 4 provides ongoing assurance of conformance with this criterion by preventing modification or removal without the appropriate City review.

Landscaping Standards

Shrubs and Groundcover Materials Requirements
Subsection 4.176 (.06) A.

C40. Condition of Approval PDC 5 requires meeting the detailed requirements of this subsection. Of particular note, the applicant's landscape plan, shows at least 2-gallon containers for shrubs and 1-gallon containers for groundcover. A combination of over 700 shrubs were selected for planting including kaleidoscope abelia, golden euyonmus, compact escallonia, gulf stream heavenly bamboo, fire power heavenly bamboo, ballerina Indian hawthorne. Ground cover plantings will include bearberry kinninnick and colorata wintercreeper.

Plant Materials Requirements-Trees

Subsection 4.176 (.06) B.

C41. As stated on the applicant's landscape plans, the plant material requirements for trees will be met as follows:

- Trees are B&B (Balled and Burlapped)
- Tree are 2" caliper.

A mix of trees has been selected to be planted throughout the site in appropriate locations including green vase zelkova, green spire little leaf linden, western red cedar, kousa dogwood, Armstrong red maple, and vine maples.

Plant Species Requirements

Subsection 4.176 (.06) E.

C42. The applicant's landscape plan provides sufficient information showing the proposed landscape design meets the standards of this subsection related to use of native vegetation and prohibited plant materials.

Landscape Installation and Maintenance Standards

Subsection 4.176 (.07)

C43. The installation and maintenance standards are met or will be met by Condition of Approval PDC 6 as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival.
- Within one growing season, the applicant must replace in kind plants that die, unless the City approves appropriate substitute species.
- Notes on the applicant's landscape plans provides for an irrigation system.

Landscape Plan Requirements

Subsection 4.176 (.09)

C44. The applicant's landscape plan shows all existing and proposed landscape areas. The scale plans show the type, installation size, number and placement of materials. Plans include a plant material list. Plants identification is by both their scientific and common names.

Completion of Landscaping

Subsection 4.176 (.10)

C45. The applicant has not requested to defer installation and thus must install landscaping prior to occupancy.

Outdoor Lighting

Applicability of Outdoor Lighting Standards

Sections 4.199.20 and 4.199.60

C46. The proposed development will install new lighting throughout the parking area and site for safety and function thus the outdoor lighting standards apply.

Outdoor Lighting Zones

Section 4.199.30

C47. The subject property is within LZ2.

Optional Lighting Compliance Methods

Subsection 4.199.40 (.01) A.

C48. The applicant has the option of the performance or prescriptive method. The applicant has selected to comply with the performance method.

Maximum Lamp Wattage and Shielding

Subsection 4.199.40 (.01) C. 1. and Table 9

C49. The applicant has selected the performance option for the project's outdoor lighting design. The applicant's narrative states that the proposed luminaires comply with the maximum percentage of direct upright lumens and shielding requirements within Table 9. The photometric diagram is included in Exhibit B2.

Maximum Mounting Height

Subsection 4.199.40 (.01) C. 3.

C50. Nothing in the applicant's materials indicates the maximum mounting height will be surpassed.

Lighting Curfew

Subsection 4.199.40 (.01) D.

C51. The applicant proposes the standard LZ 2 curfew of 10 PM.

Request D: Type C Tree Removal Plan (TPLN22-0007)

Type C Tree Removal-General

Tree Related Site Access

Subsection 4.600.50 (.03) A.

D1. It is understood the City has access to the property to verify information regarding trees.

Review Authority

Subsection 4.610.00 (.03) B.

D2. The requested removal is connected to site plan review by the Development Review Board for new development. The tree removal is thus being reviewed by the Development Review Board.

Conditions of Approval

Subsection 4.610.00 (.06) A.

D3. No additional conditions are recommended pursuant to this subsection.

Completion of Operation

Subsection 4.610.00 (.06) B.

D4. It is understood the tree removal will be completed prior to construction of the proposed building, which is a reasonable time frame for tree removal.

Security for Permit Compliance

Subsection 4.610.00 (.06) C.

D5. No bond is anticipated to be required to ensure compliance with the tree removal plan as a bond is required for overall landscaping.

Tree Removal Standards

Subsection 4.610.10 (.01)

D6. The standards of this subsection are met as follows:

- Standard for the Significant Resource Overlay Zone: No trees proposed for removal are located in the SROZ.
- Preservation and Conservation. The arborist report inventoried 50 trees located on the subject property. Of the 50 trees inventoried, 21 are located on future Parcel 5 where the development will occur. Of the 21 trees located on the development site one was confirmed dead by the arborist and another was confirmed to have a DBH less than 6 inches and therefore does not count toward mitigation requirements. The tree species on site are a mix of native and non-native trees including, Oregon white oak, ponderosa pine, Douglas fir, black pine, red oak, western red cedar, Norway maples, sweet cherry, English Hawthorne and Oregon ash. The applicant proposes to preserve thirty one (31) of the existing trees all on future Parcel 6. 19 trees are proposed for removal on future Parcel 5. The applicant proposes to plant 108 new trees to mitigate for the 19 trees proposed for removal, which exceeds the 1:1 mitigation requirement. Condition of approval PDD 4 will ensure that protective fencing is placed around the drip line of preserved trees prior to site grading or other site work that could damage the trees.
- Development Alternatives: The proposed tree removal has been minimized to the extent possible in order to redevelop the subject property.

- Land Clearing: Land clearing and grading is proposed and will be limited to areas necessary for construction of the proposed building, structures, and other site improvements.
- Compliance with Statutes and Ordinances: The necessary tree replacement and protection is planned according to the requirements of the tree preservation and protection ordinance.
- Limitation: Tree removal is limited to where it is necessary for construction (as discussed in Development Alternatives above) or to address nuisances or where the health of the trees warrants removal.
- Additional Standards: A tree survey has been provided, and no utilities are proposed to be located where they would cause adverse environmental consequences.

Review Process

Subsection 4.610.40 (.01)

D7. The plan is being reviewed concurrently with the Stage 2 Final Plan.

Tree Maintenance and Protection Plan

Section 4.610.40 (.02)

D8. The applicant has provided information on tree maintenance and protection in Exhibit B1 sheet C003. The tree protection fencing shown indicates fencing around the trees preserved to the east of the site, however no tree protection fencing is shown on Parcel 5 where development will occur as no trees are proposed for preservation.

Replacement and Mitigation

Tree Replacement Requirement

Subsection 4.620.00 (.01)

D9. The applicant proposes removing 19 trees and replanting 108 trees as mitigation on the project site, exceeding a one-to-one ratio and the requirements of this subsection.

Basis for Determining Replacement and Replacement

Subsection 4.620.00 (.02) and (.03)

D10. Replacement trees will meet the minimum caliper and other replacement requirements. Tree species selected for replacement include October glory red maple, espresso Kentucky coffee tree, Armstrong red maple, kousa dogwood, blue Colorado spruce, western red cedar, green spire little leaf linden, green vase zelkova and vine maple. This mix of evergreen and deciduous trees are compatible for the function of the site while maintaining a diversity of species.

Replacement Tree Stock Requirements

Subsection 4.620.00 (.04)

D11. The planting notes on the applicant's Sheet L101 in Exhibit B2 indicate the appropriate quality.

Replacement Trees Locations
Subsection 4.620.00 (.05) A.

D12. The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

Protection of Preserved Trees

Tree Protection During Construction
Section 4.620.10

D13. Condition of Approval PDD 4 ensures the applicable requirements of this section will be met.

Request E: Tentative Partition Plat (PART22-0002)

Land Division Authorization

Plat Review Authority
Subsection 4.202 (.01) through (.03)

F1. The tentative partition plat is being reviewed by the Development Review board as is it is associated with a development proposal. The final plat will be reviewed by the Planning Division under the authority of the Planning Director to ensure compliance with the tentative partition plat.

Legally Lot Requirement
Subsection 4.202 (.04) A.

F2. It is understood that no parcels will be sold or transferred until the final plat has been approved by the Planning Director and recorded.

Undersized Lots Prohibited
Subsection 4.202 (.04) B.

F3. No parcels will be divided into a size smaller than allowed by the Planned Development Industrial Zone designation. There is no minimum lot size in the PDI zone. The resulting two parcels are 6.418 acres (Parcel 5) and 78.725 acres (Parcel 6).

Plat Application Procedure

Pre-Application Conference
Subsection 4.210 (.01)

F4. A pre-application conference (PA21-0024) was held on November 18, 2021 in accordance with this subsection.

Tentative Plat Preparation
Subsection 4.210 (.01) A.

F5. The applicant's Exhibit B2 Part "B" includes a preliminary partition plat prepared in accordance with this subsection.

Tentative Plat Submission
Subsection 4.210 (.01) B.

F6. The tentative partition plat has been submitted with the required information.

Phases to Be Shown
Subsection 4.210 (.01) D.

F7. No phasing for development or improvements to the subject property has been submitted.

Remainder Tracts
Subsection 4.210 (.01) E.

F8. All affected property has been incorporated into the tentative partition plat.

Street Requirements for Land Divisions

Adjoining Streets Relationship
Subsection 4.236 (.02)

F9. No new streets are required or proposed related to the subject partition. However, improvements to Parkway Avenue and Printer Parkway are required as conditions of approval to bring the street up to City standards. Printer Parkway is also to be dedicated to the City in accordance to the Transportation System Plan.

General Land Division Requirements- Easements

Utility Line Easements
Subsection 4.237 (.02) A.

F10. New utility line easements will be required for public water lines, sewer, stormwater and all private utilities. See Condition of Approval PF 19 and Exhibit B2 "Part B" sheets 1-4.

General Land Division Requirements- Lot Size and Shape

Lot Size and Shape Appropriate
Subsection 4.237 (.05)

F11. The proposed parcels meet the minimum lot width, depth, and size standards.

Lot Size and Shape Meet Zoning Requirements

Subsection 4.237 (.05)

F12. The proposed parcels meet the requirements of the PDI zone, where there is no minimum. See Finding F3. The proposed lot shapes are consistent with other lots within the surrounding area.

On-Site Sewage Disposal

Subsection 4.237 (.05) A.

F13. The property is currently served by public sewer; therefore an on-site sewage disposal permit is not required from the City.

Appropriate Commercial and Industrial Lots

Subsection 4.237 (.05) B.

F14. Parking on Parcel 6 will not be impacted by the land division or development. Adequate parking is provide for both the existing building and future development. See findings B29-B30 for Parcel 5's parking details.

Lot Size and Width for Planned Developments

Subsection 4.237 (.05) C.

F15. The proposed partition has two (2) industrial lots ranging in size from 6.418 square feet to 78.725 square feet. There is no minimum lot size in the PDI zone.

General Land Division Requirements- Access

Minimum Street Frontage

Subsection 4.237 (.06)

F16. There is no minimum street frontage requirement in the PDI zone.

Standards Applying to Planned Development Industrial Development

Minimum Front Yard Setback

Subsection 4.135 (.06) C.

F17. The existing building on Parcel 6 is set back 136 feet from SW Parkway Avenue at its closest point, the northeast corner, and continues to conform to the minimum 30 foot setback. The building proposed on Parcel 5 will be setback 112 feet from SW Parkway Avenue.

Minimum Side Yard Setback

Subsection 4.135 (.06) D.

F18. The minimum side setback is 30 feet. The existing building on Parcel 6 will continue to meet the 30' setback requirement on the east side of the parcel. The setback on the west side will not be impacted by the proposed partition and the 30' setback will continue to be met. The future building on Parcel 5 will be setback 30' from Parkway Avenue and 100' from Parcel 6 meeting the 30' setback requirement.

Minimum Rear Yard Setback
Subsection 4.135 (.06) D.

F19. The existing building on Parcel 6 is set back 144 feet from Xerox Drive at its closest point, the southwest corner, exceeding the 30-foot minimum. The proposed building on Parcel 5 is setback 313 feet from Xerox Drive, exceeding the 30-foot minimum.

General Land Division Requirements- Other

Through Lots
Subsection 4.237 (.07)

F20. The existing property where the proposed partition will occur is on an existing through lot. No additional requirements will be applied.

Lot Side Lines
Subsection 4.237 (.08)

F21. The existing parcel proposed for partition is irregularly shaped thus achieving right angles is challenging. The side lot lines are as perpendicular with the roadways as possible with the existing site constraints.

Large Lot Divisions
Subsection 4.237 (.09)

F22. There is no indication that the partition of this parcel will prevent future division.

Land for Public Purposes
Subsection 4.237 (.12)

F23. No property reservation is recommended as described in this subsection.

Corner Lots
Subsection 4.237 (.13)

F24. The corner radius on Parcel 5 currently meets the 10' requirement and no changes to this corner radius are proposed.

Lots of Record

Defining Lots of Record
Section 4.250

F25. The existing parcel is a lot of record, and the resulting parcels will be of record.

EXHIBIT A2
ESSENTIAL NEXUS/ROUGH PROPORTIONALITY FINDINGS

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LIST OF ATTACHMENTS

Attachment 1: Applicable Provisions of Wilsonville Code, Transportation System Plan, and Public Works Standards

Attachment 2: Excerpt of Updated DKS Traffic Impact Analysis, January 2023 (“TIA”)

Attachment 3: DKS Rough Proportionality Evaluation, June 2023¹ (“DKS Evaluation”)

Attachment 4: Rough Proportionality Calculations for Parkway

Attachment 5: 1999 Sidewalk Easement

Attachment 6: 2015 Partition Plat

Attachment 7: 2016 Reciprocal Access Easement

Attachment 8: Excerpt of City Docket No. AR16-0037

Attachment 9: 2018 Partition Plat

Attachment 10: 2018 Public Access Easement Agreement

Attachment 11: Excerpt of 1997 Tektronix Parking Lot Expansion Study (97DB35)

Attachment 12: Parkway and Freight Route GIS Measurements

Attachment 13: Printer Parkway Linear Feet Calculations (*See Exhibit B to Application, page 31 – Preliminary Partition Plat*)

¹ The June 2023 DKS Evaluation erroneously states a date of June 2022.
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I. INTRODUCTION

These findings address particular public improvements required by the City of Wilsonville (“City”) as part of ScanlanKemperBard Companies, LLC (“Applicant”) proposed development located at 26600 SW Parkway Avenue, Wilsonville, Clackamas County, Oregon 97070 (the “Property”). Applicant owns the Property, and which currently includes an approximately 300,000 square-foot building complex, parking lot, and related improvements on the Property and currently leases that development to a third party. Applicant now seeks to partition the Property into two parcels, proposed Parcel 5 and Parcel 6, with Parcel 6 housing the existing development and Parcel 5 serving as the location for a new industrial manufacturing/warehouse development (the “Proposed Development”). If approved, the Proposed Development will consist of a 91,773 square-foot building and related improvements which would front SW Parkway Avenue to the west (“Parkway”) and SW Printer Parkway to the north (“Printer Parkway”). Applicant proposes to take access from both Parkway (via a private access on Xerox Drive) and Printer Parkway. The Parkway driveway is proposed to remain on Parcel 6, with the Proposed Development taking access through Parcel 6. The Printer Parkway driveway will be constructed on Parcel 5.

Applicant has objected to the City requiring Applicant to pay for and construct certain public improvements. To be clear, the City is requiring Applicant construct the following improvements, and has identified the proportional share of the cost that is attributable to Applicant for said improvements (individually and collectively referred to as the “Developer Responsibility”):

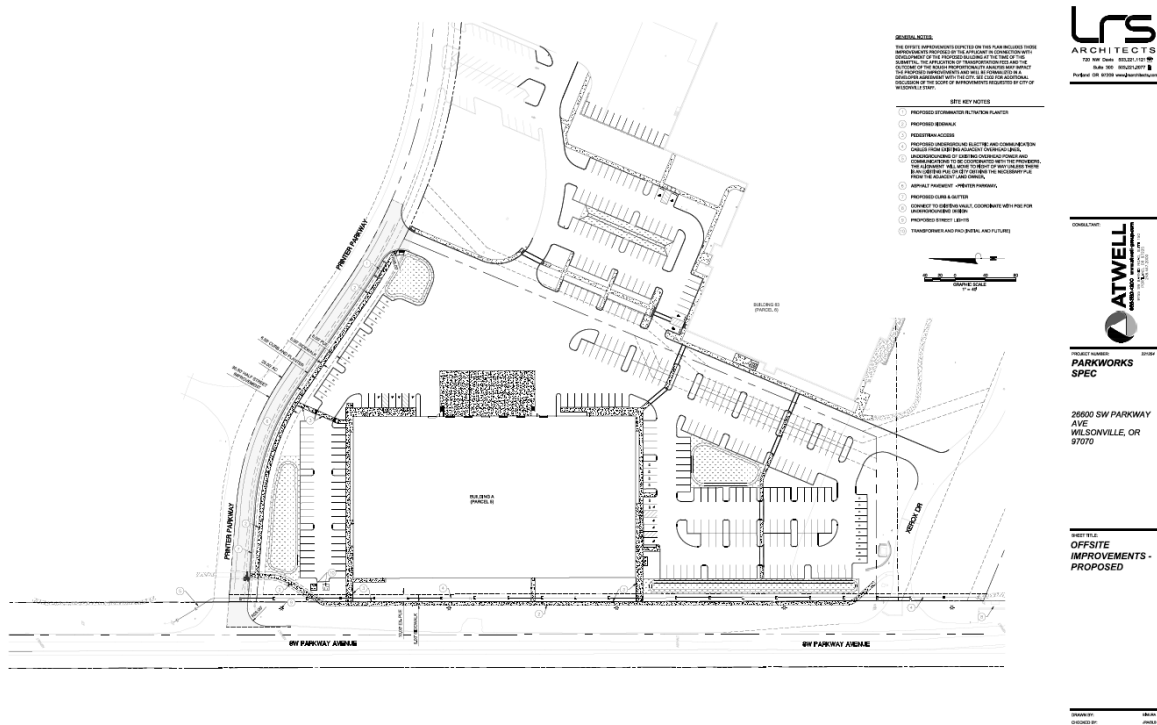
- Approximately 1,000 linear feet of the 11-foot-wide northbound travel lane of Parkway from the southern edge of Printer Parkway to the southern edge of Parcel 6 (Applicant responsibility – 19.8%)
- Approximately 1,000 linear feet of a 12-foot-wide median and left-turn lane on Parkway from the southern edge of Printer Parkway to the southern edge of Parcel 6
 - Of the approximately 1,000 linear feet, approximately 925 linear feet is for a median, for which Applicant is responsible for only 19.8% of the cost of 5 feet of the median. The costs of the additional 7 feet and the 80.2% of the 5 feet are borne by the City
 - The remaining 75 linear feet of the median will be a left turn pocket to Xerox Drive, which is 100% the responsibility of Applicant
- Approximately 1,000 linear feet of a 6-foot-wide bicycle lane and 2-foot-wide buffer next to the northbound travel lane (Applicant responsibility – 80%)
 - Applicant’s proportionate responsibility for two-foot buffer is 19.8% and for the six-foot bicycle lane is 100%, which, when combined equals approximately 80% ($2 \times 0.198 = 0.4 \text{ ft} + 6 \text{ ft} = 6.4 \text{ ft}$; $(6.4 \text{ ft} / 8 \text{ ft}) \times 100 = 80\%$)
- Approximately 1,000 linear feet of a 6.5-foot-wide planter strip and 5-foot-wide sidewalk next to the bicycle lane. Currently the City has a 10-foot public sidewalk easement that will be replaced by the planter strip and sidewalk (Applicant responsibility – 100%)
- A 75 linear-foot left turn pocket for southbound Parkway traffic to turn onto Printer Parkway (Applicant responsibility – 15.3%)

- Dedication of 36.5 feet of right-of-way (20 feet currently included in public access easement, additional 16.5 feet needed); and
- 541 linear feet of the collector half-street improvement consisting of eastbound travel lane, buffered bicycle lane, and half of the median/turn lane, which equals 25 feet of the Printer Parkway cross-section. Applicant will be 100% responsible for 24 of the 25 feet of the cross-section, and may obtain SDC credits for the additional one (1) foot.

Applicant argues that the City’s requirements would violate the Takings Clause of the Fifth Amendment of the United States Constitution and/or Article I, section 18 of the Oregon Constitution. As discussed more fully herein, the City recommends that the Development Review Board find that the City has made sufficient findings to establish the essential nexus and rough proportionality requirements to justify the required public improvements.

As an initial note, Applicant proposed, in its Application, off-site public improvements that include the full half-street improvement of Printer Parkway to meet the standards of its functional classification as a Collector street. *See* Exhibit B to Application, page 8 (“Offsite Improvements – Proposed”). Applicant’s proposed plan for offsite improvements is provided below as **Figure 1**:

Figure 1: Aerial of Applicant’s Proposed Off-Site Improvements



Applicant also identifies dedications of Printer Parkway in its tentative plat (Exhibit B to Application, page 31). The City objects to Applicant’s general arguments against the off-site public improvements for those improvements that Applicant proposed and did not contest in its

submittal. *See* Exhibit B (*compare* page 9 to all other pages in Exhibit). Applicant should be barred from objecting to its own proposed improvements.

Parkway is identified in the 2013 Transportation System Plan as a Minor Arterial and designated freight route. However, the portion of Parkway that fronts the proposed development is not constructed to current City standards for minor arterials – it was initially constructed under then-applicable Clackamas County road standards prior to the City’s incorporation in 1968, and the general cross section has not changed since that time. Parkway currently has a minimally developed cross-section with two 11-foot wide travel lanes and lacks bicycle lanes. There is a path on the eastern side of the right-of-way that is not compliant with Americans with Disabilities Act (ADA) standards for a public sidewalk and ODOT right-of-way on the western side of the road. The City has a property interest in the path, as it is subject to a ten-foot public sidewalk easement recorded against the Property, which was not vacated when the City obtained the right-of-way for Parkway in 2015.

Similarly, Printer Parkway is identified as a Collector in the Transportation System Plan, but is currently a private access asphalt road that is minimally developed with two 14-foot wide travel lanes and lacks any sidewalks or bicycle lanes. In or about 2016, the City worked with Applicant, at Applicant’s request, to modify the TSP replacing a future east-west connection from Parkway to Canyon Creek Road along Wiedemann Road, which abuts the subject campus’ north boundary with the existing east-west connection at Printer Parkway

Wilsonville Code (WC) requires that, when development occurs, the applicant must construct roads fronting the site to meet current, applicable City standards, which are established through the City’s Transportation System Plan (“TSP”) and Public Works Standards (“PW Standards”). Section 201.2.18 of the Public Works Standards requires a minimum of 24-foot wide pavement for arterial and collector streets (*see* Attachment 1, page 21), and the TSP establishes the required cross-sections for minor arterials and collectors. *See id.* at pages 9-10. When, as is the case here, the City TSP requires construction beyond the half-street improvement that is beyond the rough proportionality of a proposed development’s impact to the system, the applicant will be eligible for transportation system development charges (TSDC) credits for the costs of the public improvement beyond the half-street improvement.

To address the Applicant’s legal challenges, the City must demonstrate that the potential public improvement requirements would comply with applicable law, particularly the Fifth Amendment of the US Constitution and Article I, Section 18 of the Oregon Constitution. These federal and state constitutional provisions, generally referred to as the “Takings Clause,” prohibit government from exacting property from private property owners without just compensation. Because “the basic thrust of the fifth amendment [of the U.S. Constitution] and art. I, § 18 [of the Oregon Constitution], is generally the same . . .” in this context (*Suess Builders Co. v. City of Beaverton*, 294 Or. 254, 259 n. 5 (1982)), this analysis will focus on the federal Takings Clause. As will be explained more fully below, federal and state case law explain that, when a government requires a property owner to dedicate property or construct off-site public improvements as a condition of development, those requirements must have an “essential nexus” to a legitimate government interest and must be “roughly proportional” to the particular development’s impacts. These concepts are referred to as *Nollan/Dolan* findings based on the US Supreme Court cases from which they are derived.

To demonstrate essential nexus and rough proportionality of the objected improvements, these Findings are laid out as follows: (1) the existing conditions that inform the City's *Nollan/Dolan* findings; (2) descriptions of the applicable legal standards for essential nexus and rough proportionality; and (3) analyses of the essential nexus and rough proportionality for each improvement to which Applicant has objected.

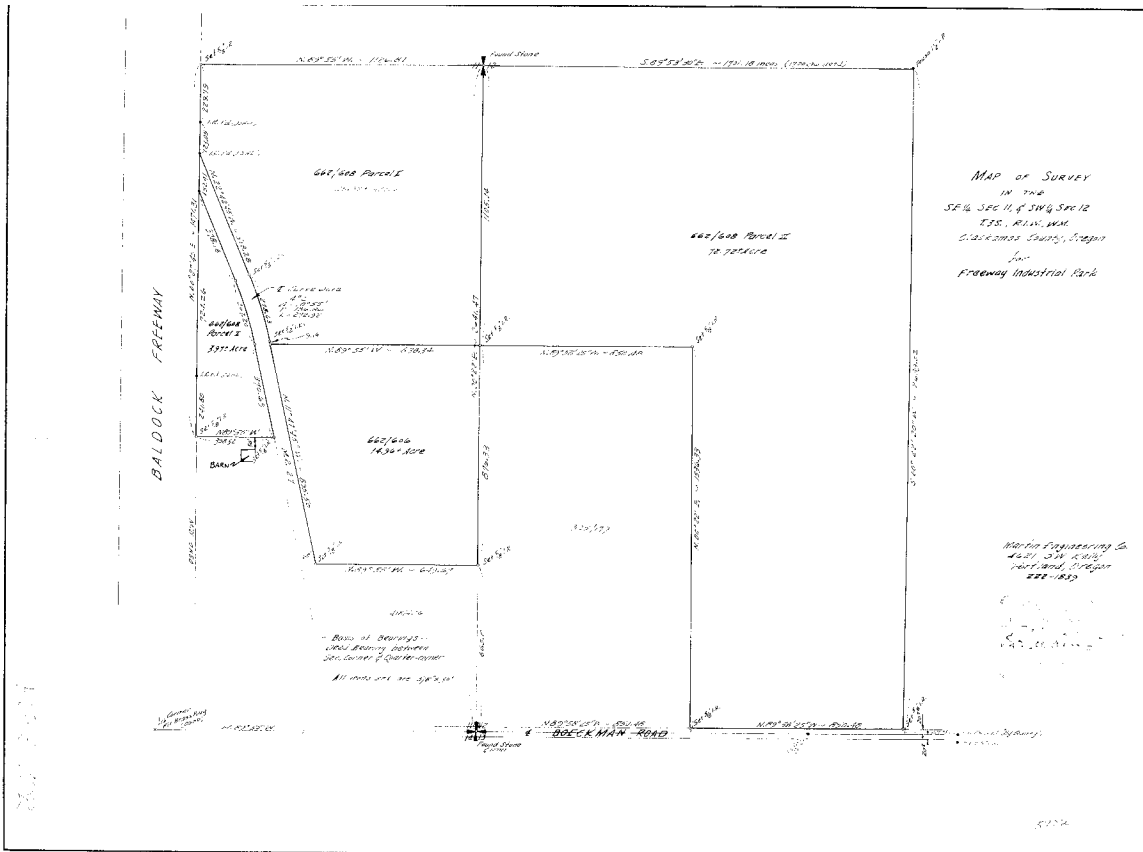
II. EXISTING CONDITIONS

The Proposed Development is the latest phase of an industrial campus that has a long history in Wilsonville. Because the development of the overall campus over the years is relevant to the Proposed Development, the City provides some context for the existing conditions on the Property and within the larger campus.

The original "Freeway Industrial Park" was the area bordered by SW Boeckman Road to the south, SW Parkway Avenue to the west, Wiedemann Road to the north, and other properties to the east, generally where SW Canyon Creek Road now exists.

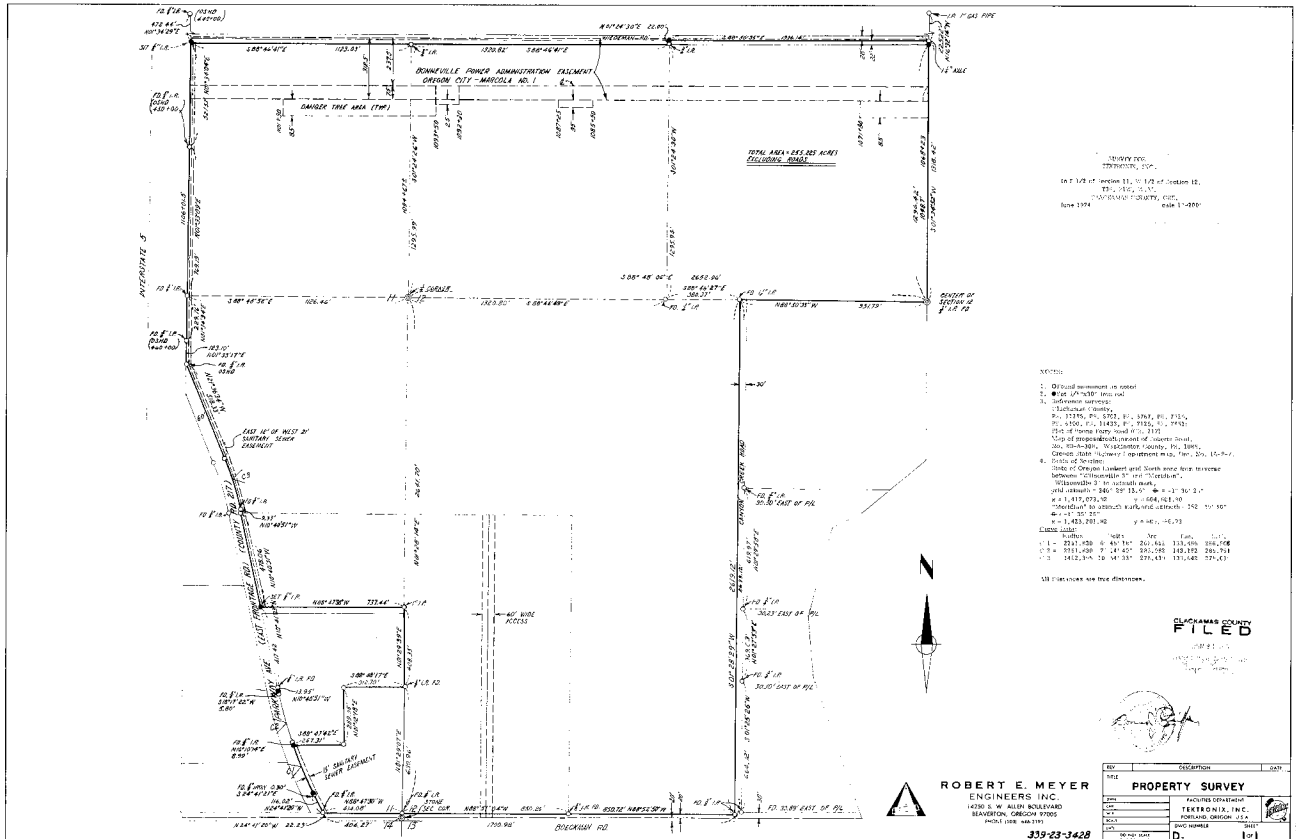
A survey of the area recorded in 1965 is provided below as **Figure 2**:

Figure 2: 1965 Survey of Industrial Park (Survey Name SN5702)



Tektronix purchased the industrial park, and a survey recorded in 1974 showed the park as follows in **Figure 3**:

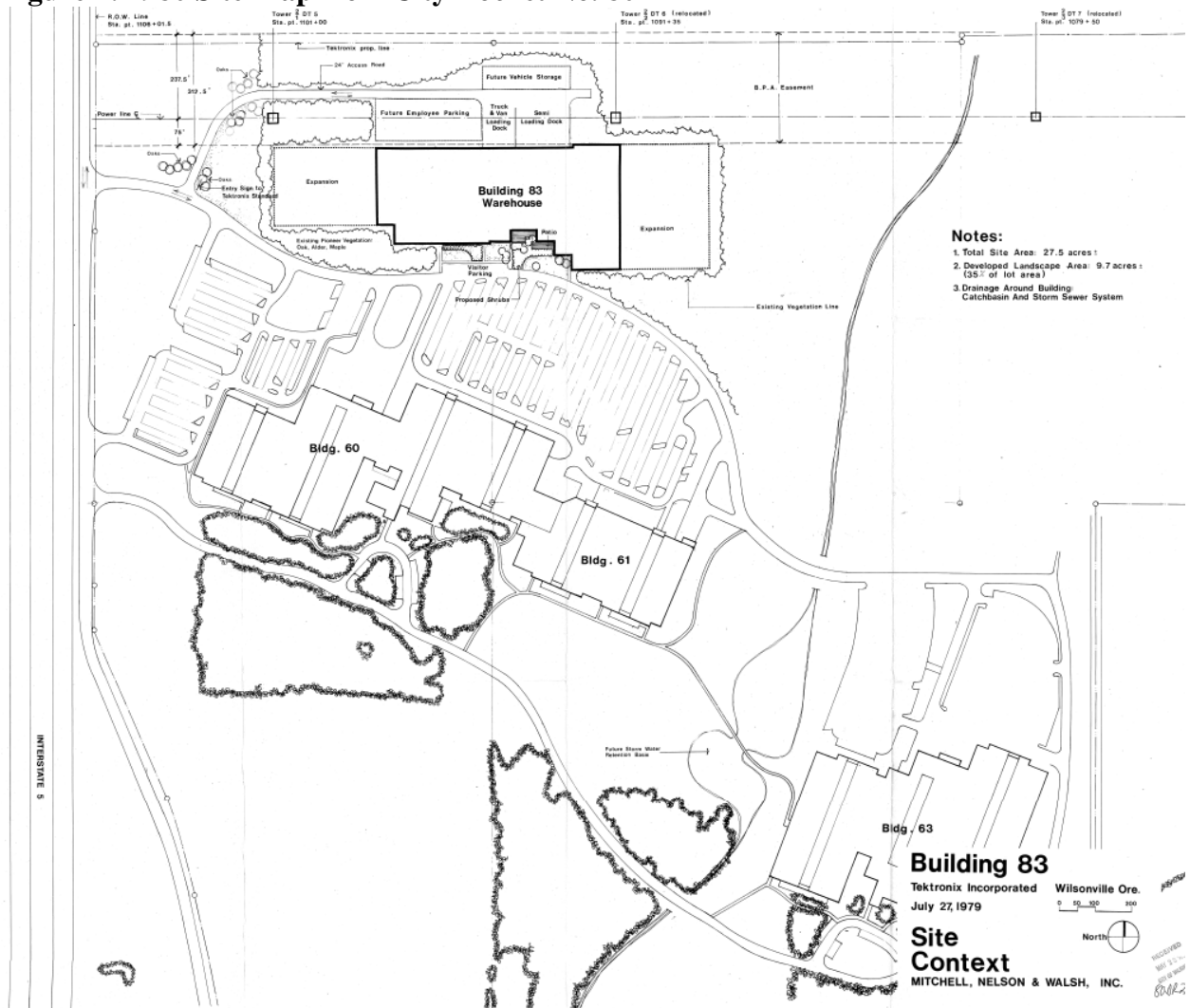
Figure 3: 1974 Survey of Industrial Campus (Survey Name SN12491)



Over several years, Tektronix made modifications to existing buildings onsite, but did not construct new buildings. Buildings 60, 61, 63, and 83 are still present today.

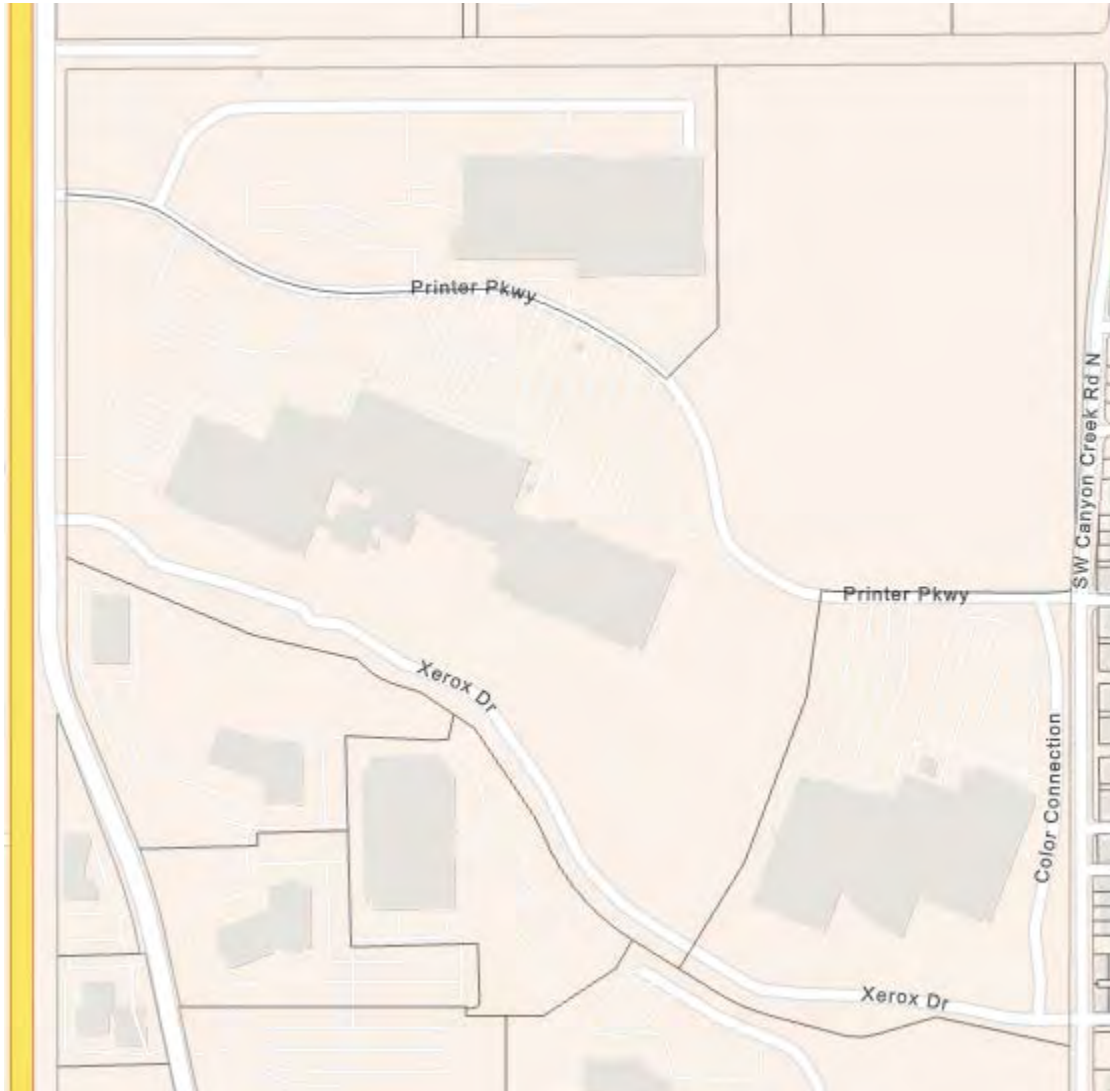
Below in **Figure 4** is an approved site plan from 1980 to expand Building 83, showing the existing buildings:

Figure 4: 1980 Site Map from City Docket No. 80DR22



For comparison to today's build-out, an aerial of the current buildings from the City's GIS mapping system is provided below as **Figure 5**:

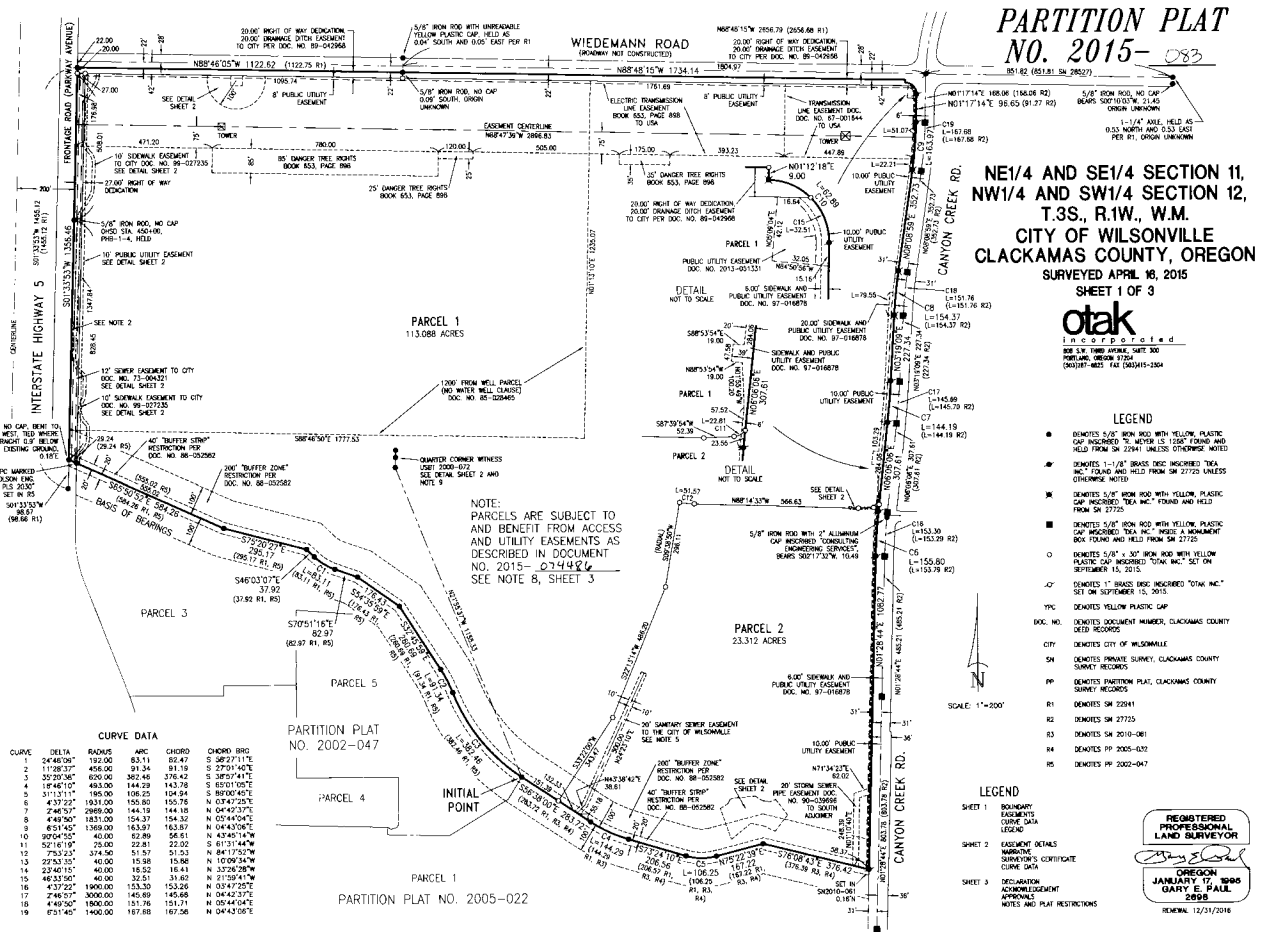
Figure 5: Wilsonville GIS Aerial of Current Industrial Campus with Buildings



In or about 2000, the campus was purchased by Xerox Corporation. In 2000 and 2005, partitions of the campus occurred to create parcels to the south of the current Xerox Drive that were sold to another party. Thus, by the mid-2000s, the remaining property consisted of area just south of Xerox Drive, east of Parkway, south of Wiedemann Road, and west of Canyon Creek Road.

In 2015, the campus was further partitioned and the southwest area, where building 63 exists, became a parcel (Parcel 2), as shown in **Figure 6²**.

Figure 6: 2015 Partition Plat (Clackamas County Recording Document No. 2015-074482)

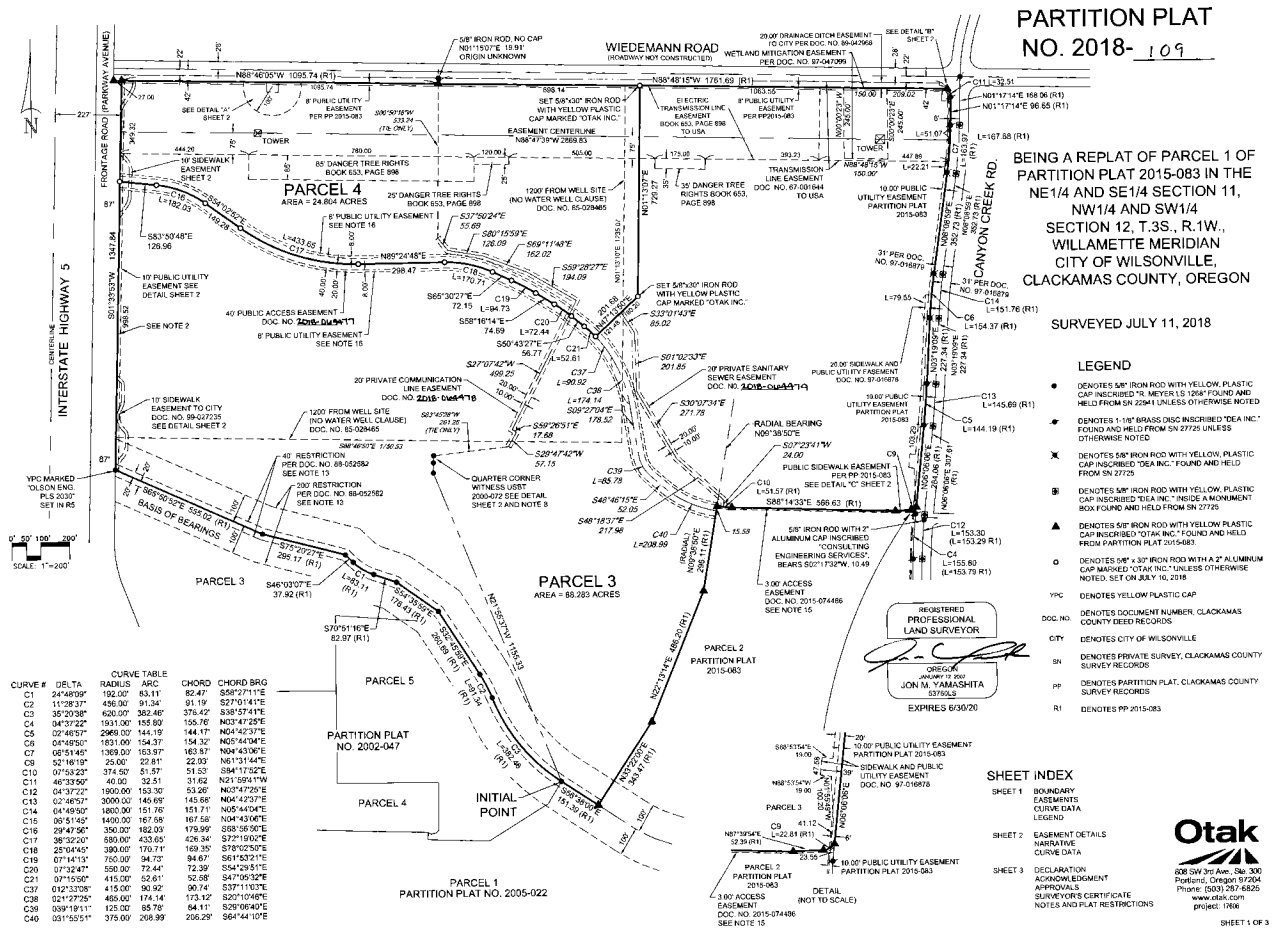


After the partition was complete and recorded in the Clackamas County Official Records, the parcel identified as Parcel 1 was sold to Parkway Woods Business Park LLC in December 2015 and Xerox Corporation retained ownership of Parcel 2.

² The entire 2015 partition plat (Clackamas County Records document no. 2015-074482) is attached hereto as **Attachment 6**.

In 2016, SKB (Applicant) applied for, and received City approval to, partition the then-current property to create a new parcel in the northwest corner where building 83 exists. The City docket number for this approval is AR16-0037. The partition plat (no. 2018-109) was recorded in the Clackamas County Official Records two years later, in 2018, as document no. 2018-064476 (Figure 7)³.

Figure 7: 2018 Partition Plat (Clackamas County Recording Document No. 2018-064476)



³ The entire 2018 partition plat (Clackamas County Records document no. 2018-064476) is attached hereto as Attachment 9.

Thus, the current Property remaining from the original campus is outlined below from the City GIS (Figure 8):

Figure 8: City GIS Aerial of Current Property Owned by Applicant



The existing conditions, years of modifications, upgrades, and partitions provide facts relevant to these rough proportionality findings:

- The four existing buildings that were part of the original industrial campus are currently built to the following sizes:
 - Building 83 owned by Parkway Woods, LLC is 195,523 square-feet (sf), according to its original approval and 1997 addition.
 - Building 86 owned by Xerox consists of a building that is 225,000 sf, according to its original approval and a 2003 addition.
 - Buildings 60 and 61 that are owned by Applicant total 387,453 sf according to the most recent 2020 City approval.
 - Thus, the combined total square-footage of the existing buildings is 807,976.
 - Applicant seeks to add an additional 91,773 sf building, which will increase the total square-footage of all buildings on the original industrial campus to 899,749.
- In 1999, Tektronix granted to the City a public sidewalk easement for a ten-foot sidewalk adjacent to Parkway. This public sidewalk easement is recorded in the Official Records of Clackamas County as document no. 99-027235. Importantly, this ten-foot sidewalk easement is now encompassed within the current right-of-way owned by the City. As discussed below, sidewalks are included in City right-of-way cross-sections.
- The 2015 partition plat includes two key real property dedications from Xerox to the City:
 - A 27-foot right of way dedication of Parkway, which encompassed the existing sidewalk and created sufficient width to construct Parkway to the City's required minor arterial cross-section.
 - A ten-foot public utility easement to the east of the Parkway right-of-way dedication. As a result of these acquisitions, the City does not require right-of-way dedication or a public access easement from Applicant along Parkway. *See* Attachment 6.
- As part of the 2015 partition process, Xerox Corporation, which owned the two parcels it was partitioning, the City, and Tualatin Valley Fire and Rescue entered into a Declaration of Utility, Fire Protection, Communications, and Reciprocal Access Easements, which is recorded in the Clackamas County Official Records as document no. 2015-074486 ("Reciprocal Access Easement"). *See* Attachment 7. This document explains the rights the parties had to access Parcels 1 and 2 identified in the partition plat. Importantly, the only access right that the City received under the Reciprocal Access Easement was in regard to utility maintenance. *See id.* at Sections 2.1(iii) and 3.1. No public access easement was granted to the public in the Reciprocal Access Easement. Pedestrian, bicycle, and vehicle access were limited to the "Permittees," (*see* section 2.1(i) and (ii)), which were defined as the owners of Parcels 1 and 2 and "their tenants, subtenants, property managers, contractors, vendors, licensees, employees, permitted users of sidewalk areas, and their respective officers, directors, employees, agents, customers, visitors and invitees." *See id.* at Section 1.2.
- The 2016 City partition approval (docket no. AR16-0037) required, as a condition of approval, that SKB (the Applicant here) to enter into a development agreement with the City and the purchaser of the future Parcel 4 to establish "requirements and responsibilities for

street improvements [of Printer Parkway] tied to future development.” Attachment 8, page 5. To date, Applicant has failed to comply with this condition of approval and thus is out of compliance. As explained in Subsection IV(B)(1.1) below, the Condition of Approval regarding Printer Parkway will bring Applicant into compliance with the condition.

- AR16-0037 also required SKB to provide a public access easement on Printer Parkway for vehicle, bicycle, and pedestrian ingress and egress, which is reflected in the 2018 partition plat.
 - To fulfill the public access easement requirement on Printer Parkway, SKB provided a 40-foot public access easement, 20 feet on each side of the new property line, which coincides with the current private access drive – Printer Parkway. Attachment 8, page 5. The public access easement dedication was in anticipation of Printer Parkway becoming a public street, as identified in the City’s TSP. The public access easement is subject to a public access easement agreement that is recorded in the Clackamas County Official Records as document no. 2018-064477. *See* Attachment 10.
 - The 2018 partition plat also includes two 8-foot public utility easements – one immediately to the north of the 40-foot public access easement and one immediately to the south of the public access easement. *See* Attachment 9, note 16 (Partition Plat No. 2018-109, Clackamas County Official Records document no. 2018-064476).
 - Finally, the 2018 partition plat notes that it is subject to the conditions of approval stated in City docket no. AR16-0037. *Id.* at page 3.

III. LEGAL STANDARD

The federal Fifth Amendment Takings Clause and Article I, section 18 of the Oregon Constitution prohibit government from taking private property for public use without paying the property owner just compensation for the property taken. However, when new or enhanced private development impacts public systems, such as streets, sewer systems, water systems, etc., government may require private development to construct, at private development’s cost, the needed public improvements. The key considerations when such requirements are placed on private development are: (1) whether the requirements bear an “essential nexus” to a legitimate governmental interest; and (2) whether the requirements are “roughly proportional” to the developmental impacts to the public system(s). *See Art Piculell Group v. Clackamas County*, 142 Or App 327, 330 (1996).

Courts have weighed in on such questions for decades. In 1926, the United States Supreme Court explained that local governments have the right to set policies, such as establishing zoning regulations that limit areas where certain types of uses may be constructed, as well as the size, proximity, and materials and methods of construction, without violating a private property owner’s constitutional protections against government regulation. *See Village of Euclid, Ohio v. Ambler Realty Co.*, 272 US 365 (1926). That case involved a challenge to a zoning ordinance that limited the locations where certain types of private development could occur – the ordinance was adopted when industrial development from nearby Cleveland was beginning to extend into the village of Euclid. The *Village of Euclid* decision came at a time of significant urbanization in the United States, when cities and towns sought to better regulate where and how different types of private development could occur to ensure that the overall livability of the city or town was

retained. The US Supreme Court explained the issues facing local governments as urbanization rapidly grew:

“Until recent years, urban life was comparatively simple; but, with the great increase and concentration of population, problems have developed, and constantly are developing, which require, and will continue to require, additional restrictions in respect of the use and occupation of private lands in urban communities. Regulations, the wisdom, necessity, and validity of which, as applied to existing conditions, are so apparent that they are now uniformly sustained, a century ago, or even half a century ago, probably would have been rejected as arbitrary and oppressive.” *Id.* at 386-87.

The Court went on to explain that municipalities, such as the village of Euclid, may govern themselves as they see fit with regarding to the course of development, and that the particular zoning ordinance in question was within the village’s power to adopt and enforce. *Id.* at 397.

The two seminal US Supreme Court cases that establish the framework for evaluating whether a government-required public improvements by private development is a taking and requires just compensation to the property owner are *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987) and *Dolan v. City of Tigard*, 512 U.S. 374 (1994).

A. Essential Nexus (*Nollan*)

In *Nollan*, a property owner with a beachfront lot sought to demolish a rundown bungalow and replace it with a three-bedroom house. 483 U.S. at 827-28. As a condition of the proposed redevelopment, the California Coastal Commission required the property owner to provide a public access easement across a portion of the property, which would make it easier for the public to get to a nearby county park and cove. *Id.* at 828. The question examined by the US Supreme Court was whether requiring land to be conveyed for the public as condition of a land use permit constitutes a taking. *Id.* at 834. The Court explained:

“We have long recognized that land-use regulation does not effect a taking if it substantially advances legitimate state interests and does not deny an owner economically viable use of his land.” *Id.* (internal quotation and citation omitted).

The Court further noted that, if a condition of approval “serves the same legitimate police-power purpose as a refusal to issue the permit[, it] should not be found to be a taking if the refusal to issue the permit would not constitute a taking.” *Id.* at 836. The Court held that, while what constitutes a legitimate governmental interest is broad, it is limited if the condition required does not further the governmental interest. *Id.* at 837. Ultimately, the Court did not decide “what constitutes a ‘legitimate state interest’ or what type of connection between the [condition] and the state interest . . .” is sufficient, but it noted that long-standing precedent had established that “a broad range of governmental purposes and regulations satisfies these requirements.” *Id.* at 834-35. The purported state interest at issue in *Nollan*, the Court decided, “did not meet even the loosest standard.” *Id.* at 838.

After *Nollan*, courts further analyzed its meaning. In *Pengilly v. Multnomah County*, 810 F. Supp. 1111 (D. Or. 1992), homebuilders challenged a county requirement to dedicate several feet of additional right-of-way along a road as a condition of issuing a building permit for construction of their home. *Id.* at 1112. The Oregon federal district court explained the meaning of the *Nollan* decision:

“Though a condition promotes a legitimate government interest, the Court reasoned, unless it serves a purpose that would justify prohibiting the proposed development—*i.e.* one directly related to the development—the condition becomes merely a means of obtaining private property for government purposes without compensation.” *Id.* at 1112 (citing *Nollan*, 483 U.S. at 837) (emphasis in original).

The federal district court found that the county’s requirement was not a taking like the one in *Nollan*. The Court held:

“County’s right-of-way dedication requirement mitigates the cumulative impact of residential development on McNamee Road. *Nollan* recognizes the validity of basing land use regulations on the cumulative impact of regulated construction.” 810 F Supp at 1113.

Because the county’s requirement for right-of-way dedication served as a link between new private development and the need to avoid declines in the road efficiency by traffic increases caused by the cumulative effect of new development, the right-of-way dedication requirement was upheld.

Here, the “essential nexus” is clear. All of the potential requirements are based on legitimate City Council-approved policies, and the required improvements by the Proposed Development will further these legitimate governmental interests. The requirements are found in the Wilsonville Code, Transportation System Plan, and Public Works Standards.

Furthermore, the potential requirements would all pertain to the rights-of-way directly adjacent to the applicant’s property and are intended to mitigate the impacts of development at that location and the cumulative effects of Applicant’s industrial development (*see Dolan* and *Koontz* discussions below).

The potential requirements satisfy the *Nollan* “essential nexus” requirement.

B. Rough Proportionality (*Dolan*)

In *Dolan v. City of Tigard*, 512 U.S. 374 (1994), the US Supreme Court reviewed conditions of approval that the City of Tigard imposed on a business owner who sought to expand the building and parking lot on the property. The conditions included a requirement that the property owner dedicate the portion of her property that was within the 100-year flood plain for improvement of the storm drainage system along Fanno Creek and that she dedicate a 15-foot strip of land for pedestrian and bicycle pathway. *Id.* at 380. The dedication encompassed approximately 10% of

the property, but the owner could use the dedicated property to meet the city's open space and landscaping requirement. *Id.*

The Court observed that the larger building and paved parking area would increase the stormwater runoff into Fanno Creek. *Id.* at 382. However, with regard to the required dedication for the pathway, the Court also noted the dueling issues at play were: (1) the private property owner's right to exclude others as "one of the most essential sticks in the bundle of rights that are commonly characterized as property;" and (2) "the authority of state and local governments to engage in land use planning [that] has been sustained against constitutional challenge" since the *Village of Euclid* decision. *Id.* at 384 (internal quotation and citations omitted).

The Court explained a distinction between prior cases and the one before it in *Dolan*:

"First, they involved essentially legislative determinations classifying entire areas of the city, whereas here the city made an adjudicative decision to condition petitioner's application for a building permit on an individual parcel. Second, the conditions imposed were not simply a limitation on the use petitioner might make of her own parcel, but a requirement that she deed portions of the property to the city." *Id.* at 385.

In reviewing the *Nollan* decision, the Court noted that it previously did not need to decide the "required degree of connection between the exactions and the projected impact of the proposed development" because the California Coastal Commission failed to show that an essential nexus existed at all between the legitimate government interest and the required dedication. *Id.* at 386.

Thus, when the essential nexus does exist, the Court held that requirements imposed on a development must be "roughly proportional" to the impacts of that development. *Dolan* at 391. That standard, the Court wrote, is an "intermediate standard" between "very generalized statements as to the necessary connection . . .," on one hand, and, on the other, a requirement that the government "demonstrate that its exaction is directly proportional to the specifically created need" *Id.* at 389-90.

"Rough proportionality" lies somewhere between those extremes of "too lax" and a level of "exacting scrutiny" that the Constitution does not require. *Id.* As the Court explained, "[n]o precise mathematical calculation is required, but the city must make some sort of individualized determination that the required [exaction] is related both in nature and extent to the impact of the proposed development." *Id.* at 391. In addition, benefits that will accrue to a development as a result of government-imposed requirements need not be ignored.

As with *Nollan*, many courts interpreted the meaning of *Dolan*, working to determine whether certain exactions were "roughly proportional" to private development impacts. One such case is *Schultz v. Grants Pass*, 131 Or App 220 (1994), decided by the Oregon Court of Appeals. In that case, the Court analyzed the city's requirement that the property owner dedicate extensive portions of property for street widening as part of a partition approval. *Id.* at 222. The city attempted to justify the dedication because of the potential future development on the partitioned tract. *Id.* at 224. The Court distinguished broad legislative or quasi-legislative land use decisions

from particular sets of conditions that are imposed on a particular property. *Id.* at 227. The Court explained:

“As the Supreme Court noted in *Dolan*, the presumption to which the city refers attaches only when a petitioner challenges the validity of a zoning ordinance or similar legislative or quasi-legislative enactment that is applied generally to all similarly-situated properties.” *Id.*

The Court held that the city’s justification, based on potential development of the partitioned tract, failed to meet the *Dolan* requirement of demonstrating a relationship to the proposed development, which, in that case, only involved partitioning the property, not developing on it. *Id.*

In *J.C. Reeves Corp. v. Clackamas County*, 131 Or App 615 (1994), the Court of Appeals examined whether county requirements to eliminate a one-foot “spite strip” on a proposed subdivision plat separating a street from another property and to construct certain street improvements were valid conditions of approval for a 21-lot residential subdivision. While the Court remanded back to the county for further findings regarding the street improvement requirement, the Court upheld the requirement to remove the “spite strip.” The Court found that the condition was appropriate “for providing the adjacent property owner with the access that the proposed development would otherwise eliminate or impair.” *Id.* at 624. The developer had contended that the effect of removing the “spite strip” was a benefit to the adjacent property owner at the developer’s expense. *Id.* The Court disagreed, relying on LUBA’s holding that financial advantage to an adjacent property owner “is irrelevant to taking analysis.” *Id.* at 624.

The Oregon Court of Appeals again considered the implications of *Nollan* and *Dolan* in *Art Piculell Group v. Clackamas County*, 142 Or App 327 (1996). That case involved a request to construct a 19-lot subdivision. Evidence shows that approximately 81% of the projected traffic from the proposed subdivision would use one road – Summers Lane. *Id.* at 329. The county approved the subdivision, with the condition that the developer dedicate 10 feet of property and perform certain street improvements. *Id.* at 330. The decision is helpful in understanding the breadth of considerations that may be weighed in determining rough proportionality. The Court of Appeals was supportive of evidence that not only established a development’s detrimental impact on public systems, but also evidence that shows the benefits to the development by performing the public improvement. *Id.* at 337. The Court stated in a footnote as well:

“[T]he *Dolan* analysis allows consideration and appropriate weighing of whether and to what extent a condition serves needs of the development upon which it is imposed, as distinct from serving *only* general public needs in response to the public impacts of the development.” *Id.* at 337 n.4, 922 P.2d 1227 (1996).

The Court reiterated that *Dolan* does not limit the analysis for road improvement requirements “to any extent that correlates exactly with the traffic the development will generate, that there can be other kinds of developmental impacts that residential developments can have on street systems, and that *all* of the impacts appropriately enter into the analysis.” *Id.* at 338 (emphasis in original).

In *McClure v. City of Springfield*, 174 Or App 425 (2001), McClure sought to divide the subject property into three lots, each of which would take access from 8th Street, but the two new parcels would do so through 20-foot panhandle accesses. The city approved the application with conditions to dedicate: (1) 20 feet of right-of-way along the south portion of the property for a future road; (2) a 10-foot by 10-foot triangular area to ensure adequate sight visibility and turn radius at street intersection; and (3) a five-foot strip along the 8th Street frontage to widen 8th Street for a sidewalk and street lighting. *Id.* at 428. The Court found that there was not sufficient justification by the city for the dedications for the sidewalk and clipped corner. However, the Court did find sufficient justification for the five-foot dedication along 8th Street. *Id.* at 434-35. The city addressed the “essential nexus” by showing the safety hazards through studying conflict points related to the development. *Id.* at 434. The city further established “rough proportionality” by comparing the number of vehicle trips generated with the total daily trips on the two local roads that would be used by the proposed lots. *Id.* at 435. That percentage (1.86%) was compared to the percentage of square footage of right-of-way exacted with the total right-of-way area on the two local streets (1.59%). *Id.* Since the exaction percentage (1.59%) was less than the impact percentage (1.86%), the Court determined that the exaction was roughly proportional. *Id.* The Court further noted that the rough proportionality test requires comparing different kinds of things, such as vehicle trips versus street area. *Id.* at 435-36. The Court reiterated *Dolan’s* holding that precise mathematical calculations are not required to meet “rough proportionality.” *Id.* at 436. Thus, the city’s analysis with regard to the 8th Street dedication met the *Dolan* standard.

Another Court of Appeals case where the Court determined that the city had established an “essential nexus” and “rough proportionality” is *Hallmark Inns & Resorts, Inc. v. City of Lake Oswego*, 193 OR App 24 (2004). In that case, the property owner sought a modification of a prior land use decision by the city to eliminate the requirement for a public pedestrian pathway across the property. *Id.* at 26. The Court upheld LUBA’s finding of an essential nexus between the impact of the development on the area’s pedestrian and bicycle transportation system and the requirement for the pathway. *Id.* at 34. LUBA had found that the development would impede access between employees and visitors of the property and a nearby park and residential area. *Id.* at 33. The Court also found that the requirement for the pathway was roughly proportional to the impacts of the development. The city asserted projections of users of the pathway based on permitted uses onsite and the number of vehicle spaces provided. The Court held that the city’s findings were “reasonable projected impacts from the permitted uses of the development” (*id.* at 37) and that the findings demonstrated that, without the pathway, “the development would impede the flow of pedestrian and bicycle traffic from an adjoining residential area to an adjoining shopping center.” *Id.* at 40. The Court also pointed out the particular development covered six lots, potentially contributing to the need for the bicycle and pedestrian system at least as much as neighboring properties, which had actually contributed more to the system than Hallmark had. *Id.*

Dolan thus requires that the City (1) enumerate the potential impacts of the proposed development here and (2) demonstrate that the potential requirements would be related to those impacts “in nature and extent.” See Section IV below for those discussions.

C. Monetary Implications (Koontz)

In *Koontz v. St. Johns Water Management District*, 133 S. Ct. 2586 (2013), the Supreme Court did not create any new balancing tests or require any new analyses specific to the imposition of monetary contributions such as those required for street improvements here. Instead, the Court merely held “that the government’s demand for property from a . . . permit applicant must satisfy the requirements of *Nollan* and *Dolan* . . . even when its demand is for money.” *Koontz*, 133 S. Ct. at 2603. As a result, if a requirement for a monetary contribution would satisfy the “essential nexus” and “rough proportionality” requirements of those cases, such a requirement would not violate the Takings Clause. In Section V below, the City notes that it addresses any monetary considerations of *Nollan* and *Dolan* with regard to SDC credits.

IV. OFF-SITE PUBLIC IMPROVEMENTS AND THE PROPOSED DEVELOPMENT’S IMPACTS

As noted above, Applicant objects to public improvements required for Parkway and Printer Parkway, arguing that the public improvements are not roughly proportional to the impacts of Applicant’s development. Each objected public improvement is analyzed for its essential nexus and rough proportionality.

A. SW Parkway Avenue

1. Improvement of SW Parkway Avenue from northern edge of Printer Parkway to urbanized improvement of SW Parkway Avenue at southern parcel line (Shared Responsibility)

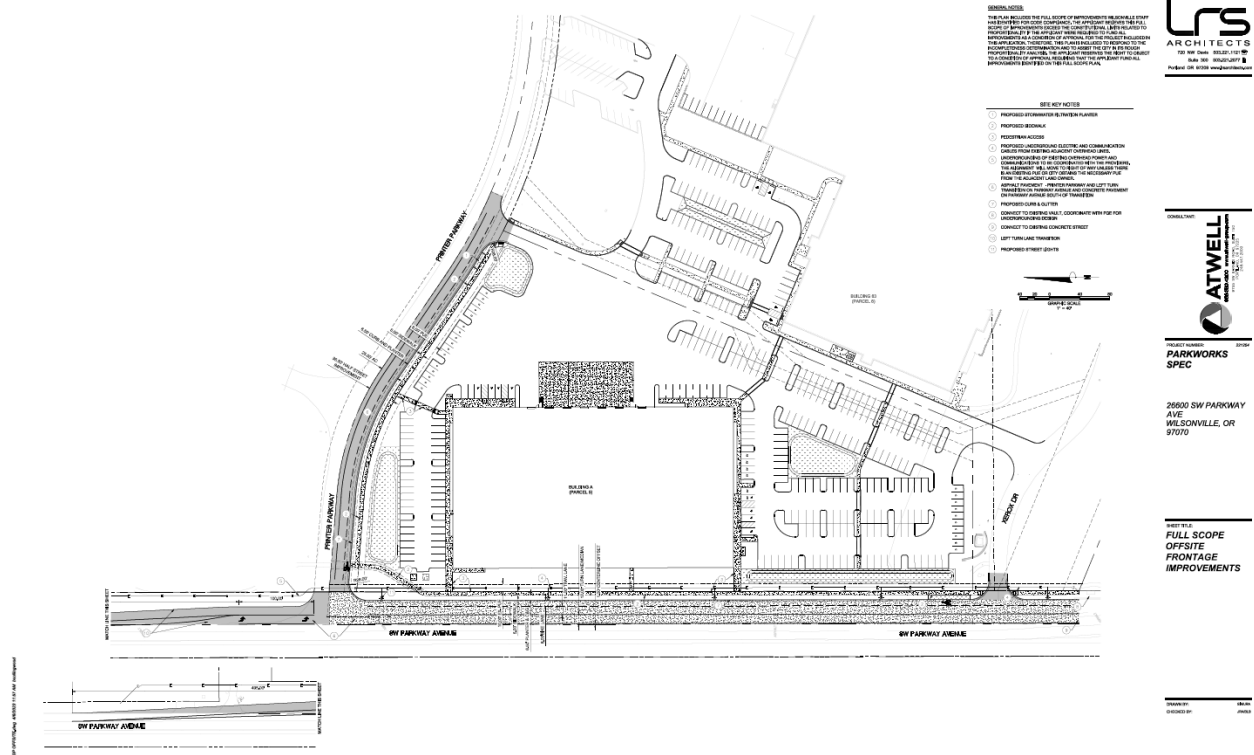
This Section IV(A)(1) discusses the following off-site improvements required of Applicant on Parkway:

- 1000 linear feet of an 11-foot eastern vehicle travel lane;
- 925 linear feet of a 12-foot center median;
- 75 linear feet of a 12-foot turn lane – the center median turns into a left turn lane at Xerox Drive, a private access point for the benefit of the Property;
- 75 linear-foot left turn lane from Parkway onto Printer Parkway;
- A six-foot bicycle lane with two-foot buffer – eight (8) feet total;
- A 6.5-foot planter strip to the east of the street curb;
- A five-foot sidewalk; and
- Street lights.

These improvements are generally considered the right-of-way improvements for Parkway, as they will exist in the public right-of-way upon completion (hereinafter “Parkway ROW Improvements”). Section IV(A)(2) will discuss the required installation of underground utilities.

The first four off-site improvements listed above are described in the site plan (Exhibit B to Application, page 9) submitted, with objection, by Applicant provided below (**Figure 9**):

Figure 9: Aerial of Proposed Development and Adjacent Off-Site Improvements

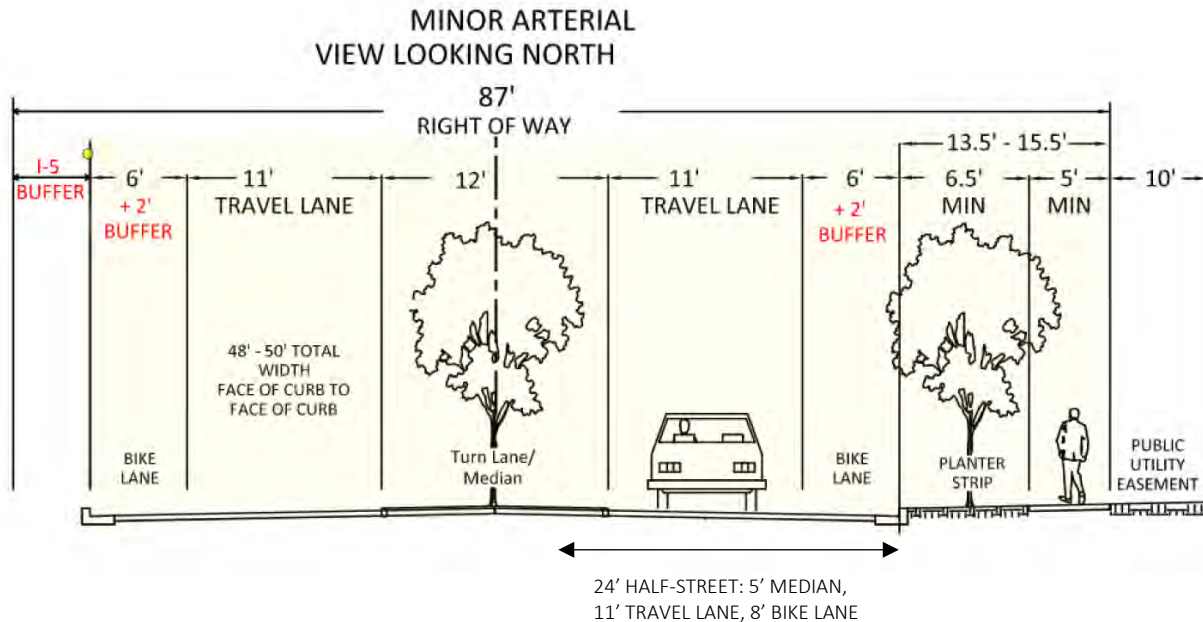


1.1. Overview of Required Parkway ROW Improvements

These findings will detail the City policies and standards (the “essential nexus”) for each of the Parkway ROW Improvements and the related rough proportionality to the Proposed Development, but, as a general overview, when the frontage of a proposed development either does not have a public street or the existing street does not meet City standards, the developer is required to improve half of the street. For arterials and collectors (Parkway is a Minor Arterial), a half-street equals 24 feet. Thus, while rough proportionality will be discussed regarding the 24-foot, the City is not requiring Applicant to pay for any improvements beyond the 24-foot half-street improvement, with the exception of contributions to turn lanes to access the Property. As will be noted in Subsection 1.2 herein, Applicant is required to construct the full median, but the City is 100% responsible for the cost of the western seven (7) feet of the median because that part of the median is outside the 24-foot half-street improvement. When the median converts to a left turn lane, as discussed in Subsection 1.3 herein, Applicant will be required to pay 100% of the left turn lane construction costs.

Thus, Applicant is required to construct the following off-site improvements to Parkway along Applicant’s frontage from Printer Parkway to and including Xerox Drive: a 12-foot center median, 11-foot eastern travel lane, 6-foot bicycle lane (with an additional a two-foot buffer), a 6.5-foot planter street and stormwater facility, and a 5-foot sidewalk. The cross-section for a minor arterial from the City TSP is provided as **Figure 10** below.

Figure 10: Minor Arterial Cross-Section, View Looking North



Before elaborating on the individual components of the required off-site improvements along Parkway, the City begins with an overarching rough proportionality analysis for the Developer Responsibility portion of the Parkway frontage improvements. The City examined the Developer Responsibility for the Parkway frontage improvements under four (4) scenarios.

The first scenario examined the half-street improvement (median to curb, no planter strip or sidewalk), less the left turn lane at Xerox Drive. The City began with this scenario because: (1) the WC and PW Standards state that private development is generally responsible for the 24-foot half-street improvement, as measured from the face of curb, on arterials⁴; and (2) the left turn lane at Xerox Drive is solely caused by and for the benefit of, Applicant (*see* Subsection 1.3 *infra*). *See* WC 4.177(.01), WC 4.236(.01) and (.08), WC 4.262(.01); PW Standards Section 201.2.18(b). Furthermore, the City currently possesses a property interest for a 10-foot sidewalk in the right-of-way, which generally covers the area where the planter strip and sidewalk are located in the minor arterial cross-section. Under this first scenario, Applicant is responsible for **19.0%** of the Parkway frontage, which is roughly proportional to the Proposed Development’s impact of 19.8% on Parkway. *See* Attachment 3 (DKS Evaluation), page 4; *see also* Attachment 4, page 3.

The second scenario examined the half-street (median to curb, no planter strip or sidewalk), but included the left turn at Xerox Drive. Like the first scenario, the City considered this scenario because the WC and PW Standards state that private development is generally responsible for the 24-foot half-street improvement, as measured from the face of curb, on arterials. *See* WC 4.177(.01), WC 4.236(.01) and (.08), WC 4.262(.01); PW Standards Section 201.2.18(b).

⁴ “Half-street” is a bit of a misnomer because the 24 feet do not equal exactly one-half of the “curb-to-curb” right-of-way. Parkway, curb-to-curb will eventually be 50 feet. Thus, the “half-street” of 24 feet is one foot less than the true one-half street of Parkway. The City’s PW Standards establish that a “half-street” for arterials and collectors is considered to be 24 feet. *See* PW Standards Section 201.2.18(b).

Furthermore, the City currently possesses a property interest for a 10-foot sidewalk in the right-of-way, which generally covers the area where the planter strip and sidewalk are located in the minor arterial cross-section. Under this second scenario, Applicant is responsible for **20.8%** of the Parkway frontage, which is roughly proportional to the Proposed Development's impact of 19.8% on Parkway. *See* Attachment 3 (DKS Evaluation), page 4; *see also* Attachment 4, page 4.

The third scenario examined the half-street (median to curb) with the planter strip and sidewalk⁵, but without the 75-foot left turn lane onto Xerox Drive because that improvement is solely to benefit Applicant, the Property, and the Proposed Development. *See* Section 1.3 *infra*. Under this third scenario, Applicant is responsible for only **24.1%** of the Parkway frontage. *See* Attachment 4, page 5. This is approximately 4% difference between the impact of the Proposed Development and the Parkway frontage improvements that are the Developer Responsibility. As explained above, the City is not required to have a precisely equal mathematical calculation for rough proportionality; rather, the City must "make some sort of individualized determination" that the improvements are "related both in nature and extent to the impact of the proposed development." *Dolan*, 512 U.S. at 391.

The fourth scenario included all Parkway frontage improvements that are the Developer Responsibility. This scenario does not include consideration of the City's current property interest in the existing 10-foot sidewalk easement, and includes the left turn lane at Xerox Drive, assuming, without admitting, that rough proportionality analysis does apply to the turn lane. Under this second scenario, Applicant is responsible for only **25.2%** of the Parkway frontage. *See* Attachment 4, page 6. This is approximately 5% difference between the impact of the Proposed Development and the Parkway frontage improvements that are the Developer Responsibility. Again, as explained in *Dolan*, the City does not need to show that the developer impact and the required improvements are exactly equal; rather, the City must make individualized findings to show that the improvements are "roughly proportional" to the developer impact.

1.2. Median and Eastern Travel Lane

Pursuant to Conditions of Approval, Applicant is required to construct 925 linear feet of a 12-foot center median and 1,000 linear feet of an 11-foot eastern travel lane on Parkway beginning at Printer Parkway. The remainder of Applicant's obligation regarding the median is discussed in Subsection 1.3 herein. As discussed in Subsection 1.2.2, Applicant is responsible for 19.8% of the costs associated with the 11-foot eastern travel lane and five (5) feet of the median. The costs of the remaining seven (7) feet of the center median is 100% the responsibility of the City.

For clarity, Applicant is not required to dedicate any right-of-way to the City. The City currently has sufficient right-of-way to accommodate the cross-section. Furthermore, the City is not requiring Applicant to construct the southbound travel lane or to pave Parkway using concrete. Instead, the City will allow Applicant to construct the half-street improvement using asphalt, a significantly less expensive construction material.

⁵ The City notes that this scenario does not include a consideration of the City's current property interest in the existing 10-foot sidewalk easement. Thus, the 4% difference is even less so when applying the City's property interest.

1.2.1. City Standard – Essential Nexus

The City’s standards for required street improvements with which development applicants must comply are generally located within the WC, TSP, and PW Standards. These findings discuss the requirements for street improvements in each of the WC, TSP, and Public Works Standards. These established policies demonstrate the essential nexus between the improvements and the City’s interest in providing safe, reliable, well-constructed streets and sidewalks.

Below is an overview of each of the applicable standards that establish the City requirements for Parkway and the City’s justification for such requirements. These requirements are applicable to the Proposed Development because the Proposed Development is an industrial development utilizing freight and other vehicle traffic to travel to and from Wilsonville with convenient access to Interstate 5 (“I-5”). Applicant plans for 7 loading docks or bays for freight and 262 parking stalls, 61 of which are new parking stalls. *See Exhibit B to Application – Site Plan and page 6 and 16 of Application Narrative.* That amount of traffic, particularly industrial freight traffic, needs improved roads for safe transportation. The City also notes that average lengths of semi-trucks with a trailer is approximately 72 feet (maximum individual trailer length in Oregon is 53 feet), whereas the standard vehicle length is 14.7 feet. Since the Proposed Development is a warehouse with semi-truck loading bays, several of the projected trips for the Proposed Development will be semi-truck trips. Semi-trucks with trailers require a larger turning radius, take more time to complete a turn, and require more time to react to stopping and turning. Semi-truck crashes also have the propensity to be more serious as to personal injury and property damage. Thus, when discussing vehicle trips below and safety concerns at specific intersections, the City places particular emphasis on safety considerations with the addition of more semi-truck trips utilizing and turning onto/off of Parkway.

According to the Transportation Impact Analysis provided by DKS Associates in January 2023 (“TIA”), the Proposed Development is projected to increase volume-to-capacity on the Printer Parkway/Parkway intersection by 25% and increase delays by over 5%. It is also projected to increase volume-to-capacity at the Xerox Drive/Parkway intersection by 41.67% and increase delays by over 6%. It will also impact the intersections at Elligsen Road and Parkway Center Drive (near the north Wilsonville I-5 interchange), the Boeckman Road and Parkway Avenue to the south, and the Wilsonville Road I-5 interchange to the south.⁶

Examining the public streets near the Proposed Development further demonstrates that industrial uses, like those surrounding the Proposed Development and contemplated by the Proposed Development, need improved streets. Parkway Center Drive, an arterial to the north, abutting Sysco and a large retail development, has as many as five (5) lanes at intersection points and has a speed limit of 35 mph. Similarly, Elligsen Road, another arterial to the north that intersects with I-5, also has as many as five (5) lanes at intersection points and a speed limit of 35 mph. Boeckman Road to the south is another arterial that has up to three (3) lanes at intersection points and a speed limit of 40 mph.

Parkway only has two (2) travel lanes with no separate queuing lanes for turns into the Property. Parkway also has a higher speed limit of 45 mph. Thus, it has a higher risk of safety issues and

⁶ The data for these percentages is derived from Attachment 2 (TIA), page 16. The calculated percentages are attached here in **Attachment 4, page 7.**

more severe crashes due to the following factors: (1) lack of queuing lanes; (2) no separation of different modes of transportation; (3) higher speed limit; and (4) high level of freight due to freight route designation. As discussed in Attachment 1, the TSP makes particular note of the deficiencies on Parkway and Printer Parkway and the concerns of freight on the Parkway freight route that is under-developed. The City’s traffic engineering consultant, DKS, noted that the higher speeds, in particular, warrant the needed upgrades on Parkway, as required under City regulations. Attachment 2 (TIA), page 17.

Given that: (1) the Proposed Development will take access from both Parkway and Printer Parkway (*see* Exhibit B to Application, Site Plan); (2) the Proposed Development will generate new freight and vehicle traffic (*see* TIA; Exhibit B to Application – Site Plan); (3) Parkway is a 45 mph street; (4) other developments within the larger Xerox campus are industrial uses that generate significant freight and vehicle traffic on Parkway; (5) Parkway is designated as a freight route and minor arterial; (6) Parkway’s cross-section is currently deficient as a minor arterial and freight route (*see* Attachment 1, Section 2); and (7) state and federal traffic guidelines recommend safety improvements for Parkway to prevent significant vehicle crashes (*see id.*), the City has established an essential nexus between the Proposed Development and the required Parkway improvements.

1.2.1.1. Wilsonville Code⁷

The City found, as stated in the Wilsonville Code, that, to promote the health, safety, and general welfare of the city, the City must enact provisions to carry out development in an orderly fashion and to lessen congestion of streets, to provide adequate light, to improve connectivity, to facilitate adequate transportation, and to secure safety from dangers within the city. WC 4.200. Thus, the Wilsonville Code requires that development must “conform to the requirements of this [Wilsonville] Code and improvement standards and specifications of the City (WC 4.260). Several provisions within the WC are applicable to the required improvements of Parkway, specifically, WC 4.177, 4.236, and 4.262. These provisions expressly state that street improvements must comply with the TSP and PW Standards. *See* WC 4.177(.01); WC 4.236(.01) and (.08); WC 4.260; WC 4.262(.01).

1.2.1.2. Transportation System Plan

The TSP identifies the need to upgrade Parkway since it does not meet current City standards for minor arterials and is a freight route. Parkway is identified as a higher priority project in the TSP as urban upgrade project UU-05. The TSP states that Parkway needs to be upgraded “to meet applicable cross-section standards (i.e., 3 lanes with bike lanes, sidewalks, and transit stop improvements.” TSP, 5-8 (2020). The required cross section for a minor arterial is also described in the TSP and is shown in Figure 3-7 in the TSP. *See* Attachment 1, page 9. Of particular note, the TSP cross-section identifies the need for a buffered bicycle lane when a minor arterial is a freight route, as Parkway is. The TSP has explicit goals and policies to mitigate impacts of freight to other modes of transportation on designated freight routes. *See id.* at pages 11-12. Parkway is an identified freight route and the Proposed Development is a

⁷ Relevant provisions of the Wilsonville Code, TSP, and PW Standards are included in **Attachment 1** attached hereto and are incorporated as if fully set forth herein.

manufacturing/warehouse building that will add freight to Parkway. Application Narrative, page 6; Exhibit B to Application – Site Plan.

1.2.1.3. Public Works Standards

Finally, the City PW Standards also establish the requirements for a minor arterial in Wilsonville. The PW Standards require that minor arterial and collector half-street improvements consist of the following: “Minimum pavement width shall be 24 feet for arterial and collector streets, and 20 feet for residential and rural streets as measured from face of curb.” Section 201.2.18(b). This requirement establishes reasonable future construction of needed street infrastructure as development occurs.

In sum, a half-street improvement is required as a condition of approval under WC 4.177 and related code provisions. What constitutes a “half-street” is defined in PW Standards Section 201.2.18. The City’s TSP has established that these improvements further the government interest in having safe, reliable, well-constructed streets, while offering safe freight traffic and multimodal transportation options to and from the Proposed Development.

The City’s proposed conditions of approval related to Parkway improvements meet the *Nollan* essential nexus test because the City has made findings regarding the City’s legitimate interest in ensuring adequate transportation connectivity and the City has established that Parkway is currently deficient as a minor arterial and freight route. *See McClure v. City of Springfield*, 175 Or App 425, 432 (2001) (LUBA holding that essential nexus was met in promoting safety and other traffic issues and court did not reject LUBA holding on the matter); *see also Hallmark Inns & Resorts, Inc. v. City of Lake Oswego*, 193 Or App 24, 34-36 (2004); *see also Hill v. City of Portland*, 293 Or App 283, 290 (2018) (proposed development’s impacts, in combination with other projects, can substantially impede government interests, thereby allowing government to deny an application).

1.2.2. Rough Proportionality

The DKS Evaluation (Attachment 3) calculates the proportionate share of Applicant’s contribution to the improvements along Parkway. To determine Applicant’s proportionate share of the cost to construct 925 linear feet of the median and 1000 linear feet of the eastern vehicle travel lane of Parkway (16 feet of the 24-foot local half-street improvement requirement – 5 feet of the median and 11 feet of the vehicle travel lane), the City determined that, rather than assigning all responsibility for the 16 feet to Applicant, the City should, instead, examine the traffic generated by the Proposed Development within the context of the entire industrial campus bordered by Parkway to the west, Printer Parkway to the north, and Canyon Creek Road to the east. Since the industrial campus used to be one large development, any required improvements to existing public streets should be proportionately allocated as the campus is partitioned. As such, the City’s traffic study examined the PM peak hour trips currently generated by the industrial campus, the PM peak hour trips assumed for another development that has recently been approved by the City, and the PM peak hour trips for the Proposed Development. The City, upon reviewing information supplied by the Applicant, also reassigned approximately 20% of trips generated by the Proposed Development to Canyon Creek Road that were previously allocated to Parkway.

The traffic study thus determined that the total existing PM peak hour vehicle trips generated by the Property total 117. The other recently approved Stage II development related to Twist Bioscience is estimated to generate an additional 86 PM peak hour trips, and the Proposed Development is projected to generate 50 PM peak hour trips on Parkway. Thus, the overall total PM peak hour trips on Parkway generated by the uses located on the Property equals 253 (117 + 86 + 50 = 253). To determine the Proposed Development's proportional impact on Parkway, the City calculated the percentage of the total trips (253) that the Proposed Development generates (50), which equals 19.8% ($50/253 = 0.1976$).

Thus, for 925 linear feet of the five-foot median attributable to the half-street calculation, Applicant is responsible for 19.8% of the cost of construction. For the remaining seven (7) feet of the median along the 925 linear feet, that cost is 100% the responsibility of the City. As stated in the Conditions of Approval, Applicant is eligible for Transportation SDC (TSDC) credits for the costs that are not its responsibility (80.2% of costs for five (5) feet of the median and 100% of costs for seven (7) feet of the median). Thus, the total responsibility of the Parkway street improvements (not including the left turn lane at Xerox Drive, planter strip, or sidewalk, which are separately discussed below) is only 19.0% of the half-street cross-section for the 1,000 feet of Parkway. *See* Attachment 3 (DKS Evaluation), page 3; Attachment 4, page 3.

Applicant claims that it should only be responsible for approximately 2.8% of the Parkway improvements. *See* Kittelson Traffic Impact Study provided by Applicant. Applicant argues that it should only be responsible for 2.8% because that is all the additional traffic it will add compared to the total vehicle traffic on Parkway. The City finds, however, that examining total traffic on Parkway is not appropriate because, as explained below, the industrial campus is 100% responsible for the half-street improvement to Parkway. Thus, analyzing the Proposed Development's contribution to that 100% responsibility is appropriate. The City's requirement that Applicant be responsible for the costs associated with 11.9% of the Parkway median and northbound travel lane along its frontage is roughly proportional to the Proposed Development's impacts.

The City determined that the Proposed Development's proportionate share of Parkway improvements should be compared only to the current trips generated from the Property because the entire industrial campus would be responsible for 100% of the half-street improvement for Parkway. As noted in a prior traffic analysis performed in 1997, when the industrial campus consisted of all the properties from Xerox Drive to Wiedemann Road, identified required project mitigation consisting of the half-street improvement to Parkway and a left turn lane from Parkway onto the northernmost site driveway. Attachment 11, pages 2-3. The 1997 traffic study further stated that more detailed site plans were needed as the overall master planned industrial campus project proceeded to determine adequacy of driveways, stacking, circulation, sight distance, and turn lane needs. *Id.* at page 3.

Thus, not only have half-street improvements to Parkway been discussed for years related to the development of the industrial campus, the prior traffic studies stated that each would be evaluated for their contribution to the needed improvements. *Id.* at pages 2-3. According to the DKS Evaluation, the Proposed Development's impact on Parkway is 19.8%. *See* Attachment 3 (DKS Evaluation). The City requires Applicant to bear responsibility for 20.8% to construct the

24-foot half-street of Parkway (not including the planter strip or sidewalk, which are discussed below). *See* Attachment 3 (DKS Evaluation) and Attachment 4, page 4.

In examining the overall campus, the vehicle trips would more than warrant a 50% contribution (i.e., half street) to constructing Parkway. The TIA identified the projected PM peak trips for the Proposed Development and the recently approved Stage II development application for Twist Bioscience – 62 and 109, respectively. *See* Attachment 2, pages 12, 14. Extrapolating the overall industrial campus projected PM peak hour trips (478), the total PM peak hour trips for the industrial campus is 649 vehicle trips. *See* Attachment 4, page 1. In response to Applicant’s traffic study, the vehicle trips on Parkway are reduced by 20% to equal 519 PM peak hour trips. *Id.* Applicant’s traffic study projects between 918 and 961 vehicle trips on Parkway. The campus vehicle trips on Parkway of 519 is more than half the vehicle trips on Parkway. Thus, applying 100% responsibility of the half-street improvement for Parkway to the industrial campus is roughly proportional to the campus’s projected impacts. As a result, assigning 19.0% responsibility to the Proposed Development, based on its projected increase of vehicle trips, to construct the Parkway half-street improvements is similarly roughly proportional.

Looking at other impact analyses similarly demonstrate that Applicant’s 19.0% responsibility is at or below Applicant’s impact to the City’s transportation system. Keeping in mind that the overall industrial campus is 100% responsible for the Parkway half-street improvement, one can also examine the square footage of the different campus buildings to assess whether Applicant’s 19.0% responsibility is proportional. The Proposed Development represents 91,773 square feet of new development, an increase of 23.69% building square footage on the Property, and an increase of 15.74% of building square footage on the property prior to the 2018 partition. Attachment 4, page 2. Both of these percentages are roughly proportionate to the City requirement that the Proposed Development contribute a 19.0% share of improvements along the Proposed Development’s Parkway frontage.

Another point of examination is the entirety of Parkway from where it changes to Parkway Center Drive to the north down to the terminus of Parkway at Town Center Loop, which stretches approximately 8,363 linear feet. *See* Attachment 12, page 1. The Proposed Development’s frontage represents only 11.96% of the 8,363 feet of Parkway ($1000/8363 * 100 = 11.96$)⁸, and, of that 11.96%, Applicant’s 19.0% contribution equals 2.27% ($0.1196 * 0.19 * 100 = 2.27$), which is less than Applicant’s own traffic impact analysis of 2.8% proportionate share. The Court of Appeals has identified that such a comparative analysis looking at the larger transportation system can be appropriate. *See McClure v. City of Springfield*, 175 Or App 425, 431 (2001).

One can also examine the freight route in which Parkway is a part and which the Proposed Development will utilize as an industrial development. The freight route is approximately 17,332 linear feet between the Elligsen Road I-5 interchange and Wilsonville Road I-5 interchange. *See* Attachment 12, pages 2-3. The Proposed Development’s 1,000-foot frontage represents only 5.77% of the total freight route that the Proposed Development will utilize to access I-5 ($1000/17332 * 100 = 5.77$). Applying the 19.0% required contribution by Applicant, then Applicant is responsible approximately 1% of the freight route improvements ($0.0577 * 0.19 * 100 = 1.1$). Again, this is less than Applicant’s own traffic impact analysis.

⁸ *See* **Attachment 12** for measurements of streets.
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The City also reviewed Applicant's proposed number of parking stalls to determine traffic impacts. Interestingly, Applicant proposes 262 parking stalls (Application Narrative, p. 6; Exhibit B to Application, Site Plan), well in excess of the required minimum stalls of 147. WC 4.155, Table 5; Attachment 2 (TIA), pages 19-20. Of the 262 parking spaces, 61 are new parking spaces. Application Narrative, page 16. Not only does the increased parking indicate Applicant's anticipation of higher traffic volumes than projected, but the new parking spaces represent a 23.28% increase of parked vehicles onsite ($61/262 * 100 = 23.28\%$). The total parking stalls represent 178% of the required vehicle parking. Again, these figures demonstrate that Applicant's impact is in excess of the 19.0% proportionate share identified by the City.

Finally, the City previously noted that the Proposed Development is projected to cause volume-to-capacity ratios to increase by 25% at Parkway and Printer Parkway at the north end of the Property and by almost 42% at Parkway and Xerox Drive at the southern edge of the Property. See Attachment 4, page 7. Again, Applicant's share of off-site improvements on Parkway required by the City are significantly lower than the transportation system impacts caused by the Proposed Development.

Examining Applicant's impact on Parkway, through several different lenses, demonstrates that a 19.0% overall contribution to the median and northbound travel lane of Parkway is generally less than the Proposed Development's impact on Parkway and on the larger transportation system.

1.3. Left Turn Lane Onto Xerox Drive

Applicant is required to construct a left turn lane on Parkway onto Xerox Drive, a private access road. The Conditions of Approval state that Applicant must construct a 75-foot middle queuing lane for left turns. This 75-foot turn lane is the remainder of the median required for Parkway. Because the City has determined that Applicant is 100% responsible for the 75-foot turn lane costs, as opposed to the 925-foot median, the City provides a separate analysis for the left turn lane.

The left turn lane is necessary to queue traffic entering the Property away from the southbound travel lane on Parkway to minimize vehicle crashes. Parkway is a 45 mph minor arterial and freight route. Thus, accessing the Property's private drive via a left turn lane will reduce the likelihood that that traffic going to and from the Property does not cause increased vehicle crashes. The DKS traffic analysis notes that vehicle safety standards require the left turn lane to be constructed. Attachment 2 (TIA), pages 17-18.

Again, for clarity, Applicant is not required to dedicate any right-of-way to the City. The City currently has sufficient right-of-way to accommodate the right-of-way cross-section.

1.3.1. City Standard – Essential Nexus

Left turn pockets on minor arterials, like Parkway, are necessary to reduce the likelihood of crashes and to minimize delays that would otherwise be caused by the conflict between left turn traffic and through traffic. The TIA explains that a southbound turn lane is needed at Parkway and Xerox Drive. Attachment 2 (TIA), page 17. The TIA examined whether a left-turn pocket is

needed based on the Oregon Department of Transportation's (ODOT) Analysis Procedures Manual and the ODOT Highway Design Manual. These manuals provide three criteria to consider when evaluating the need for a left turn lane. If one or more of the criteria are met, a turn lane should be considered. *Id.* For the intersection at Parkway and Xerox Drive, a left turn lane is needed based on the volume of left turns that occur at the intersection. *Id.* Moreover, significant safety concerns are present at the intersection because the posted speed on Parkway is 45 mph. *Id.* As the ODOT Highway Design Manual states: "On some higher volume and higher speed highways, left turning traffic can become a major safety concern, especially on two-lane highways." Section 506.10, page 500-43.

The City has a legitimate interest in requiring a left turn lane at the intersection of Parkway and Xerox Drive to prevent crashes and traffic delays because of the volume of left turns and the speed on Parkway. Since Xerox Drive is one of two access points for the Proposed Development, vehicles accessing the Proposed Development will need and will utilize the left turn lane. Therefore, an essential nexus exists between the government interest and the requirement for the Applicant to construct a left turn pocket on Parkway.

1.3.1.1. Wilsonville Code

As noted in Subsection 1.2.1.1 above, the Wilsonville Code requires that street improvements conform to the standards established in the TSP and PW Standards. *See* WC 4.177(.01); 4.236(.01) and (.03); 4.262(.01) and (.02). Following such policies promotes the health, safety, and welfare of the City and ensures adequate transportation facilities for the community. *See* WC 4.200. Having established that there is an essential nexus between the government interest of promoting traffic safety and efficiency and the required public improvement, Applicant must comply with applicable TSP and PW Standards for constructing the left turn pocket on Parkway at the intersection of Xerox Drive.

1.3.1.2. Transportation System Plan

The notes for the general design of the minor arterial cross-section described in the TSP allows the City to determine whether a left turn lane is needed on a minor arterial. *See* Note 1. The City reviewed ODOT's Two-Way Stop Controlled Intersection Calculator, which estimates a queue length of 27 feet at the Xerox Drive intersection. Additional length is needed in the left turn lane for deceleration, tapers, and transition requirements, amounting to a 75-foot left turn pocket. Attachment 2 (TIA), page 18.

1.3.1.3. Public Works Standards

The design drawings for minor arterials in the PW Standards reflect a 12-to-14-foot-wide turn lane and median. *See* Attachment 1, page 24 (RD-1035). Since a left turn lane is needed, the City requires it be 12 feet wide, consistent with the PW Standards.

1.3.2. Rough Proportionality

While the left turn lane on Parkway is an off-site improvement, Applicant is 100% responsible for the cost of construction of the left turn lane because the reason that the left turn lane is needed is to mitigate the impact of traffic accessing the private development on the Property, all

of which is owned by Applicant. Xerox Drive is not a public access road and the City is not requiring a public access easement for Xerox Drive. The private uses on Applicant's Property are the cause of the impact to the public street, and so, as case law explains (*J.C. Reeves Corp. v. Clackamas County*, 131 Or App 615, 624 (1994)), private development is responsible to pay for its impacts to the public infrastructure.

In *J.C. Reeves Corp.*, the applicant argued that a condition to dedicate property for a future road that benefitted both applicant's property and an adjacent property should undergo a *Dolan* analysis. The Court of Appeals disagreed, explaining that benefits to an adjacent property owner is not the same as rough proportionality analysis that examines the benefits to the public. Regarding the condition to dedicate a portion of Applicant's property, the court favorably quoted LUBA's decision: "the financial advantage to the owner of Tax Lot 301 is irrelevant to the taking analysis." *Id.* at 624. Moreover, in *J.C. Reeves Corp.*, as is the case here, the proposed development was the cause of the access issues. *Id.*

Here, Applicant argues that it should not be responsible for 100% of the costs of the left turn lane onto Xerox Drive because the public will benefit from fewer crashes that would otherwise be caused by the conflict between vehicles turning left and vehicles traveling straight on the two-lane road. However, the only reason that such crashes occur is because of vehicles are accessing Applicant's Property (again, the Proposed Development and existing development on the Property are all owned by Applicant). Thus, Applicant is the cause of the impact to the public and so should have to construct the turn lane to mitigate the impact. Unlike the left turn lane at Printer Parkway, which will be a public street and has public access and thus Applicant only has a proportional share of the cost to construct, the left turn lane at Xerox Drive is solely to mitigate the impacts of the Proposed Development and existing development on the Property, which are all owned by Applicant.

The City further notes that Applicant's 100% cost-bearing for the left-turn lane is incorporated into the overall 19.0% proportionate share of the median and northbound travel lane improvements discussed in Section 1.2 above, and so the City incorporates by reference all proportionality arguments stated therein.

1.4. Bicycle Lane

The City requires Applicant to construct a six-foot bicycle lane with a two-foot buffer as part of its half-street construction obligation of Parkway. Since the bicycle lane and buffer are included in the 24-foot requirement for the half-street, the City incorporates all arguments set forth above in Section 1.2 regarding the essential nexus and rough proportionality between the requirement and the Proposed Development. The City also sets forth additional *Nollan/Dolan* analysis specific to the bicycle lane. As described below, Applicant is responsible for 19.8% of the cost of the two-foot buffered bicycle lane (19.8% of the two feet = 0.4 feet of the buffer that is Applicant's responsibility) due to the freight route designation of Parkway. The City incorporates as is fully set forth herein the analysis in Section 1.2 regarding the freight route and safety concerns to justify Applicant's responsibility for 19.8% of the two-foot buffer.

The City further finds that the Applicant is 100% responsible for the cost of the six-foot bicycle lane, as discussed below. Thus, of the total eight-foot buffered bicycle lane, Applicant is

responsible for 80% of the eight feet (.4 feet of buffer + 6-foot lane = 6.4 feet/8 feet * 100 = 80%).

1.4.1. City Standard – Essential Nexus

WC 4.177(.04), the TSP, and the PW Standards require a bicycle lane for all City streets. Since Parkway is a freight route, a two-foot safety buffer between the bicycle lane and the vehicle travel lane is required, as noted in the TSP and PW Standards. Based on needed bicycle parking calculations adopted by Metro (derived from TriMet’s Bicycle Parking Guidelines), Applicant is required to include 12 bicycle stalls on-site to accommodate projected bicycle transportation to the Proposed Development. WC Section 4.155, Table 5. The TIA (Appendix A) noted the following current counts for bicycles on Parkway:

- At Xerox Drive, Total Count/AM Peak Hour – 1/1 bicycle trip
- At Printer Parkway, Total Count/AM Peak Hour – 2/2 bicycle trips
- At Xerox Drive, Total Count/PM Peak Hour – 1/1 bicycle trip
- At Printer Parkway, Total Count/PM Peak Hour – 1/0 bicycle trip

See Attachment 2, pages 26, 28, 32, 34. These numbers show that: (1) current trips are limited, likely due to the lack of safe, separate bicycle lanes on a high-speed arterial and freight route; and (2) the trips that are counted are likely employees due to the lack of trips outside of peak hours.

Conversely, at Parkway and Boeckman Road, the nearest intersection to the south and where bicycle lanes currently exist, bicycle counts are much higher. On March 29, 2022, total PM bicycle counts on the roadway were 53 and PM Peak Hour counts were 28. *Id.* at 30. Pedestrians and bicyclists on the crosswalks traveling northbound or southbound equaled 7 of the 17 recorded. *Id.* On March 30, 2022, total PM bicycle counts on the roadway were 18 and PM Peak Hour counts were 5. *Id.* at 38. Pedestrians and bicyclists on the crosswalks traveling northbound or southbound equaled 14 of the 29 recorded. *Id.*

For the twelve (12) bicycle spaces required for the Proposed Development, a bicycle lane is necessary for safety and to encourage bicycling to the Proposed Development. Given the much higher volume of bicycles immediately to the south of the Property, a bicycle lane is likely to attract more bicycling to access the site. *See Skoro v. City of Portland*, 544 F. Supp. 2d 1128, 1133-34 (D. Or. 2008) (city needs to show that alternative transportation pathway system is likely to be utilized by development).

1.4.1.1. Wilsonville Code

WC 4.177(.04) requires a bicycle facility, which will be constructed based on the functionality needed for the facility on or next to different types of streets.

“Bicycle Facilities. Bicycle facilities shall be provided to implement the Transportation System Plan, and may include on-street and off-street bike lanes, shared lanes, bike boulevards, and cycle tracks. The design of on-street bicycle facilities will vary

according to the functional classification and the average daily traffic of the facility.”

1.4.1.2. Transportation System Plan

The TSP includes a policy to provide “a robust transportation system that provides all members of the community access to multiple travel choices.” TSP, 2-4. The TSP seeks to create connections for all modes of transportation to improve access to serve new development. TSP, 2-5. The TSP particularly notes that bicycles offer low-impact transportation choices so people drive less to meet daily needs. TSP, 2-10. Additional policies include minimizing conflicts between bicycles and other modes of transportation and developing networks to provide direct connections to employment centers. TSP 2-11.

The TSP explains the need to include space for other transportation modes, such as bicycle lanes and sidewalks to create a safe and well-connected transportation system. *See* Attachment 1, page 7. Figure 4-1 of the TSP identifies that Parkway does not currently meet its applicable cross-section standards that need to be brought up to meet standards as part of adjacent private development. *See id.*

The TSP requires that bicycle lanes on freight routes, like Parkway, include safety improvements such as buffered bicycle lanes. Attachment 1, pages 12-15. The TSP provides design options for the buffered bicycle lane in Figure 3-12. *Id.* at page 15. A buffered bicycle lane is particularly necessary on Parkway because it is a freight route, has significant traffic volume, and has a posted speed of 45 mph. The buffer is needed to ensure the safety of bicyclists from vehicle traffic, particularly freight vehicles.

Research consistently shows that protected bicycle lanes create safer roads for cyclists, drivers, and pedestrians. A study published in 2019 in the *Journal of Transportation and Health* that studied 12 large cities over 13 years and investigated road safety for bicyclist found that:

“More bicyclists is not the reason these cities are safer for all road users. Better safety outcomes are instead associated with a greater prevalence of bike facilities – particularly protected and separated bike facilities – at the block group level and, more strongly so, across the overall city.”⁹

In that study, researchers at the University of Colorado Denver and the University of New Mexico discovered cities with protected and separated bike lanes had 44 percent fewer deaths than the average city (Portland was one of the cities studied). Other research similarly shows that buffered bicycle lanes are the means to increase bicycle ridership and overall street safety – including for vehicle drivers.¹⁰

⁹ “Why cities with high bicycling rates are safer for all road users,” *Journal of Transport and Health*, Vol 13 (June 2019), accessed at <https://www.sciencedirect.com/science/article/abs/pii/S2214140518301488?via%3Dihub>

¹⁰ “Safety Efficacy Confidence Levels for Pedestrian & Bicycle Treatments,” Fehr & Peers (2018), accessed at https://www.fehrandpeers.com/wp-content/uploads/2020/03/NACTO_SafetyEfficacyGuide_2018.pdf. “Why US Cities Are Investing in Safer, More-Connected Cycling Infrastructure,” Urban Institute (Feb 2, 2022), accessed at <https://www.urban.org/urban-wire/why-us-cities-are-investing-safer-more-connected-cycling-infrastructure>.

“Columbus Avenue Parking-Protected Bicycle Path Preliminary Assessment,” New York City Department of Transportation (Oct 11, 2011), accessed at

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1.4.1.3. Public Works Standards

The PW Standards give explicit guidance and direction that bicycle lanes must be a minimum of six (6) feet wide and should also have a buffer between the bicycle lane and vehicle travel lane on freight routes and on streets with high traffic volumes. *See* Attachment 1, page 23. The notes for the minor arterial detail drawing (RD-1035) explain that alternative bicycle facilities shall be considered along freight routes and that facility design options, such as buffered bicycle lanes, may be imposed. *Id.* at pages 24-25.

1.4.2. Rough Proportionality

There is currently no bicycle lane on Parkway. Thus, Applicant is required, pursuant to Conditions of Approval, to construct a bicycle lane consistent with TSP and PW Standards. Unlike the allocated percentage for the vehicle travel lane along Parkway, Applicant is 80% responsible for the cost of the buffered bicycle lane (19.8% of buffer, 100% of bike lane) because: (1) there is no existing bicycle lane; (2) the bicycle lane is needed to provide multi-modal transportation to Applicant's site; and (3) the 8 feet of the bicycle lane is encompassed with the required 24-foot developer responsibility for a local street.

The City can require that a developer construct a bicycle lane as another mode to access its site, similar to a street or a sidewalk. Particularly given the additional work force that the development may bring, many of which will use bicycles as their mode of transportation to work, a bicycle lane is needed for the Proposed Development. The regional government, Metro, performs reports on commute patterns. In reviewing data from 2013 to 2016, it found that:

“People who work at large employers are choosing active transportation for their trip to work. The share of Employee Commute Options (ECO) surveyed employees biking and walking to work **has increased by 2.2% since 2008. People who bike and walk to work now account for 6.6% of work trips** and transit trips (which include walking) account for 13.3% of work trips.”¹¹ (emphasis added).

Moreover, there is no other development or public benefit to the bicycle lane outside of the Proposed Development since a bicycle lane exists immediately south of the Property and there is no development north of the Property until another existing bicycle lane on SW Parkway Center. In other words, the bicycle lane only serves the Property. The requirement and responsibility for the bicycle lane is similar to the sidewalk – the only property benefitting from the access provided by the bicycle lane is Applicant's Property.

https://www.nyc.gov/html/dot/downloads/pdf/2011_columbus_assessment.pdf. “Measuring the Street: New Metrics for 21st Century Streets,” New York City Department of Transportation (Oct. 2012), accessed at <https://www.nyc.gov/html/dot/downloads/pdf/2012-10-measuring-the-street.pdf>. “Comparing the effects of infrastructure on bicycling injury at intersections and non-intersections using a case-crossover design,” *Injury Prevention*, Vol. 19, Issue 5 (Sept. 25, 2013), accessed at <https://injuryprevention.bmj.com/content/19/5/303.full>.

¹¹ “Commute Options,” Metro Regional Travel Options Program (2017), accessed at <https://www.oregonmetro.gov/sites/default/files/2017/09/20/Metro%20Commute%20Report%20FINAL.pdf>.

Finally, the 80% developer responsibility for the buffered bicycle lane is proportional because the 8 feet for the bicycle lane and buffer are encompassed with the 24-foot local half-street improvement that is a developer's responsibility. *See* Section 1.1 *supra*. As explained in Section 1.1, all three (3) scenarios calculated by the City included the buffered bicycle lane in the calculations, and all three (3) scenarios are roughly proportional to the Proposed Development's impact on Parkway. Moreover, local half-streets include on-street parking, but Parkway's classification does not allow on-street parking and so the space otherwise used for on-street parking is instead used for a buffered bicycle lane.

1.5. Planter Strip

The requirement for planter strips are distinct from site-specific off-site improvement requirements for contributing to street improvements that are based to a development's impact on the transportation system. Planter strip requirements are not subject to Takings analysis because they are generally required of all development within the city. Like landscaping requirements, setbacks, design standards, and other legislative land use policy decisions that establish the standards for the look and feel of the City as it develops, planter strips are requirements to ensure safety while people move within and along the Proposed Development – in particular, the planter strip ensures a buffer between pedestrians and other forms of travel. Additionally, trees within planter strips are counted toward the required replacement trees for those trees that are removed within the Proposed Development. *See* WC 4.610.40(.01), 4.620.00(.01), (.02), (.05), 4.176(.06)(D). Finally, unlike other cities, Wilsonville requires that all sidewalks are separated from the roadway through the use of a planter strip – no classification of street is allowed to be constructed with a curb-tight sidewalk. Attachment 1, Section 3.3 (PW Standards Section 201.2.25(b)).

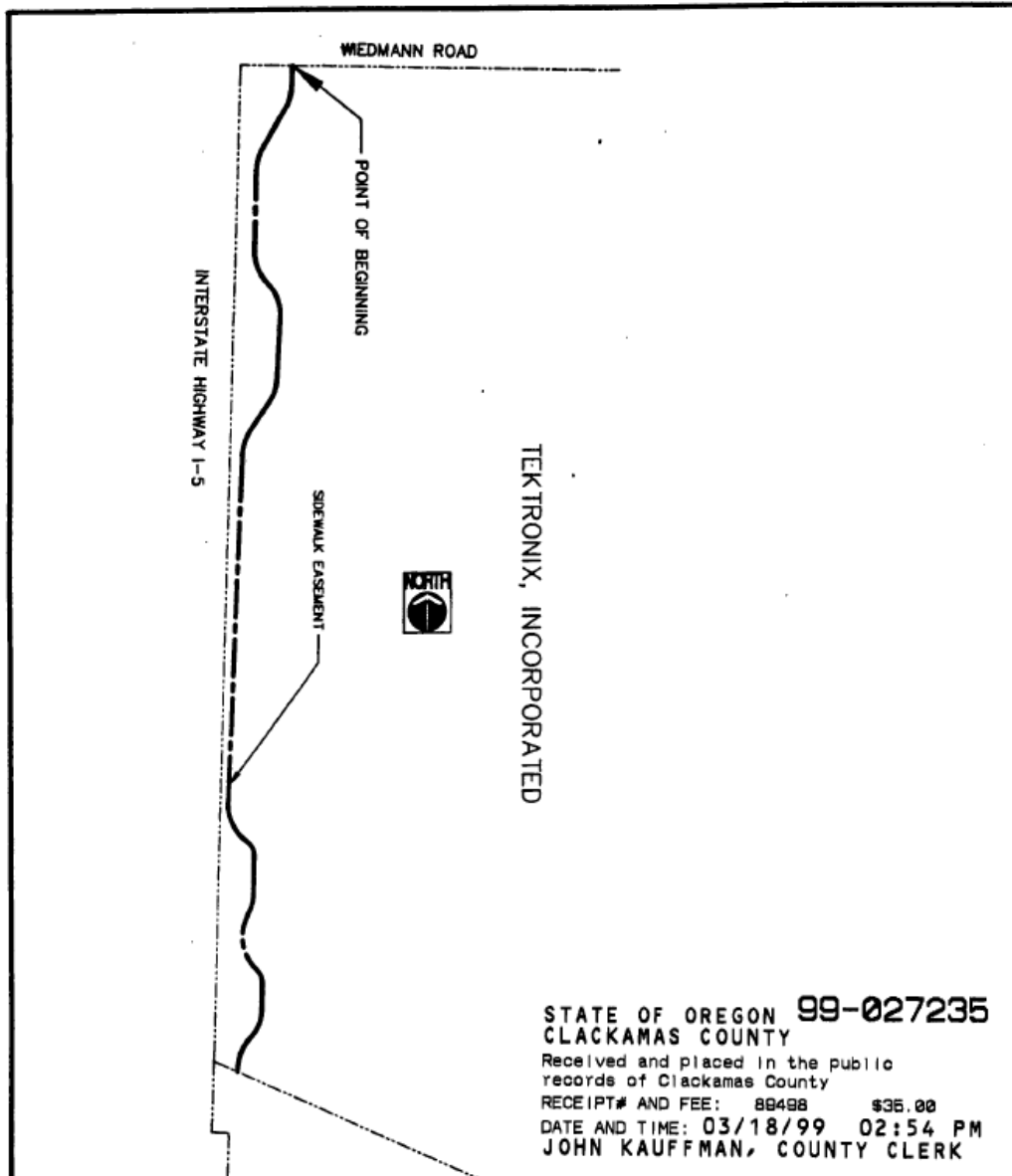
As explained in *Dolan*, legislative determinations that establish requirements for all development in the City do not effect a taking. 512 US at 384-85. Regulations such as zoning, height restrictions, setbacks, character of materials and methods of construction, are legislative regulations that apply to broad swaths of private property, not a specific development that must mitigate its impact. *See Village of Euclid, Ohio v. Ambler Realty Co.*, 272 US 365 (1926) (*discussed in Dolan*, 512 US at 384-85); *see also Schultz v. City of Grants Pass*, 131 Or App 220, 227 (1990) (explaining the distinction because legislative enactments that apply generally to all similarly situated properties). If such requirements are subject to Takings analysis, despite being required throughout the City, then it puts into jeopardy the City's inherent police power to regulate where and how development occurs in the City. *Village of Euclid*, 272 US at 388-89, 395.

Even so, Applicant benefits from the planter strip by being able to count street trees toward its replacement of those trees that are removed from the site. Additionally, the width of the planter strip, when included with the sidewalk requirement (6.5 ft + 5 ft) is nearly the same as the City's current property right to a 10-foot sidewalk easement that is located where the planter strip and sidewalk would be placed upon construction of the northbound travel lanes on Parkway. The City will forego its right to a 10-foot sidewalk in exchange for the planter strip and 5-foot sidewalk.

1.6. Sidewalk

A five-foot sidewalk is also required for the Proposed Development along Parkway pursuant to the Conditions of Approval. The City currently has a sidewalk easement for a ten (10) foot sidewalk along the western portion of the Property, pursuant to a 1999 sidewalk easement recorded in the Clackamas County Official Records as document no. 99-027235 (attached hereto as Attachment 5). The ten-foot sidewalk was constructed and is present adjacent to Parkway, however, there are places where the sidewalk does not meet ADA standards due to cross-section slope issues and at pedestrian crossings of driveways. The locational map of the sidewalk, included in the sidewalk easement, is provided as **Figure 11** below.

Figure 11: 1999 Sidewalk Easement Locational Map



The right-of-way for the future cross-section of Parkway that the City acquired in 2015 encompasses the 10-foot sidewalk easement. Since the future five (5) foot sidewalk is part of the minor arterial cross-section, Applicant is simply required to continue to offer a sidewalk as part of the right-of-way, although the City proposes a smaller, ADA-compliant sidewalk of only five (5) feet width, which, when combined with the 6.5 foot planter strip, is roughly equal to the existing sidewalk. To be clear, the City is not requiring any change to the sidewalk, except to ensure compliance with ADA standards and to allow Applicant to lessen the width of the sidewalk to provide the planter strip.

The City notes that its requirement for a sidewalk is distinct from typical *Nollan/Dolan* case law because Applicant is already obligated to provide a ten-foot sidewalk. Given that the property interest currently exists for the City, a *Nollan/Dolan* analysis for the sidewalk is not needed. Assuming, without admitting, that the City must still perform a *Nollan/Dolan* analysis to retain its property interest, the City does so below.

1.6.1. City Standard – Essential Nexus

Similar to the required bicycle lane, a sidewalk represents access to the Proposed Development via a multi-modal transportation system. As noted in WC 4.177(.03), the TSP, and the PW Standards, a minimum five-foot sidewalk is required for all City streets. This requirement aligns with ADA standards that require either five-foot wide sidewalks or three-foot wide sidewalks with passing areas of 5 feet by feet at intervals no farther than 200 feet apart. The City’s legitimate interest in supporting safe multimodal transportation is already documented in Subsection 1.2.1 above and is already established by the existence of a public sidewalk easement that the former property owner, Tektronix, provided to the City. The City’s interest in retaining a public sidewalk is also similar to the findings by the City of Lake Oswego in *Hallmark Inns & Resorts, Inc. v. City of Lake Oswego*, 193 Or App 24, 30-31 (2004) – if Applicant is not required to retain a sidewalk as part of the Parkway improvements, the Proposed Development will impede the flow of pedestrian travel. *Id.* at 40.

1.6.1.1. Wilsonville Code

WC 4.177(.03) requires sidewalks along the frontage of new development. *See* Attachment 1, pages 2-3. As stated above, the sidewalk currently exists and thus the City has a legitimate interest in preserving pedestrian connectivity between industrial uses and nearby civic uses. For example, the Oregon Institute of Technology’s Portland-metro campus is less than ¼ of a mile south of Xerox Drive. A large residential subdivision is only 2/3 of a mile south of Xerox Drive. A large retail area, known as Argyle Square, is less than ½ of a mile to the north of Printer Parkway. Employees and those conducting business at the Proposed Development, and the sidewalk would serve the need of those people to have access to shopping, their residence, and other business within the larger industrial campus. The public sidewalk must be retained along the Parkway right-of-way to advance “the identified need for promoting connectivity for non-vehicular traffic.” *Hallmark Inns*, 193 Or App at 31.

1.6.1.2. Transportation System Plan

Similar to needed bicycle lanes, the TSP identifies design elements for roadways to include sidewalks to support non-motorized multi-modal transportation. *See* TSP 3-12. As noted in Figure 3-7, a minor arterial must have a five-foot wide sidewalk. Attachment 1, page 9 (Figure 3-7, Note 2). Furthermore, as explained in Subsection 1.5.1.2 above and incorporated by reference here, the TSP explains that when appropriate bicycle and pedestrian facilities are lacking, those users will use other parts of the roadway, such as vehicle traffic lanes, which cause conflicts and are significant safety concerns.

1.6.1.3. Public Works Standards

To provide safe pedestrian routes, the PW Standards establish specific design requirements for sidewalks, which are stated in PW Standards Section 201.2.25. *See* Attachment 1, pages 21-22. These requirements include, but are not limited to, ADA compliance requirements, five (5) foot minimum width, and separation from the roadway by a planter strip. Sidewalks are also required to comply with design detail nos. RD-1075, RD-1110 through 1140, and RD-1090.

1.6.2. Rough Proportionality

Applicant's proportionate share of the cost for the sidewalk is 100% responsibility. First, there is no existing public sidewalk that complies with the Americans with Disabilities Act. There is a meandering path on the Property that does not meet ADA standards. The path does not meet ADA requirements regarding cross-slope nor does it provide curb ramps consistent with ADA standards. *See* 36 CFR 1190. The City cannot accept the current path as meeting the requirements for a public sidewalk due to these deficiencies.

Second, since the City has established that Parkway is deficient and Applicant bears some responsibility for the half-street improvement, a sidewalk is necessary pursuant to the City's TSP and PW Standards to access the Proposed Development via a multimodal transportation system. Unlike some of the cases where a sidewalk was not found to be roughly proportional, the Proposed Development is akin to the Hallmark Inns case. The City already has a property right to a ten-foot public sidewalk from the prior property owner – Tektronix. The current sidewalk is within the City's right-of-way, however, it does not meet the TSP requirements or the PW Standards, particularly the ADA requirements. The City, in recognition of the conflict between its current property right and the TSP requirements and PW Standards, is not requiring Applicant to upgrade the ten-foot sidewalk. Instead, the City is only requiring a five-foot sidewalk.

Third, the City notes that pedestrians currently use compliant facilities immediately to the south of the Property at significantly higher rates than along the Property. Looking at northbound and southbound AM and PM peak hour trips at Parkway and Xerox Drive, zero pedestrian counts were recorded. Attachment 2 (TIA), pages 26 and 32. Conversely, on March 29, 2022, there were 7 out of 17 northbound and southbound bicycle and pedestrian trips utilizing the crosswalk at the intersection immediately to the south of the Property. *Id.* at page 30. Similarly, on March 30, 2022, there were 14 out of 29 northbound and southbound bicycle and pedestrian trips utilizing the crosswalk at the intersection immediately to the south of the Property. *Id.* at 38.

Thus, reconstructing the sidewalk so it is safer and ADA compliant shows a high likelihood of adding pedestrians accessing the Property.

The City also reiterates that it included the sidewalk in the second and third scenarios it ran in Section 1.1 *supra*. As explained in Section 1.1, all three (3) scenarios the City examined are roughly proportional to the Proposed Development's impact on Parkway. Thus, including sidewalk improvements as part of the Parkway Developer Responsibility is roughly proportional to the Proposed Development's impact on Parkway.

1.7. Street Lights

Unlike the site-specific off-site improvement requirements for contributing to street improvements due to a development's impact on the transportation system, street lights are not subject to Takings analysis because they are generally required of all development within the city. Like landscaping requirements, setbacks, design standards, and other legislative land use policy decisions that establish the standards for the look and feel of the City as it develops, street lights are similar requirements of all development to ensure safety while people move to, within, and along the Proposed Development. *See* PW Standards Section 201.9.01, "Roadway and Intersection Lighting;" *see also* WC 4.199, WC 3.200 *et seq.*

As explained in *Dolan*, legislative determinations that establish requirements for all development in the City do not effect a taking. 512 US at 384-85. Regulations such as zoning, height restrictions, setbacks, character of materials and methods of construction, are legislative regulations that apply to broad swaths of private property, not a specific development that must mitigate its impact. *See Village of Euclid, Ohio v. Ambler Realty Co.*, 272 US 365 (1926) (*discussed in Dolan*, 512 US at 384-85); *see also Schultz v. City of Grants Pass*, 131 Or App 220, 227 (1990) (explaining the distinction because legislative enactments that apply generally to all similarly situated properties). If such requirements are subject to Takings analysis, despite being required throughout the City, then it puts into jeopardy the City's inherent police power to regulate where and how development occurs in the City. *Village of Euclid*, 272 US at 388-89, 395.

1.8. Concrete Pavement

The City has elected to forego the concrete paving at this time due to the City's inability to fund concrete paving for the western travel lane. Thus, the City is not requiring Applicant to construct Parkway with concrete paving, nor to contribute to concrete paving costs (i.e., no fee-in-lieu).

1.9. Left Turn Onto Printer Parkway

Applicant is required to construct a left turn lane from Parkway onto Printer Parkway, which will be a public street constructed along Applicant's frontage. According to Applicant, the future driveway on Printer Parkway on the Property will serve as the primary access for the Proposed Development, including freight traffic. The left turn lane is necessary to queue traffic entering the Property away from the southbound travel lane to minimize vehicle crashes. This area of Parkway is particularly prone to vehicle crashes from left turns onto Printer Parkway because that part of southbound Parkway transitions from 35 mph to 45 mph. The conflict of increased

speeds with a left turn for primary access to the Proposed Development require the need for a left turn lane to minimize the likelihood of vehicle crashes. Attachment 2 (TIA), page 17; Attachment 3 (DKS Evaluation), page 2.

Again, for clarity, Applicant is not required to dedicate any right-of-way to the City to the future curb on the eastern edge of the bicycle lane. The City currently has sufficient right-of-way to accommodate the cross-section to the curb.

1.9.1. City Standard – Essential Nexus

Since the left turn lane onto Printer Parkway is required for the same reasons as the left turn onto Xerox Drive, the City incorporates by reference as if fully set forth herein Section 1.3.1 above.

1.9.2. Rough Proportionality

As explained in the City’s traffic analysis, Applicant is responsible for 15.3% of the cost for the left turn lane from Parkway to Printer Parkway. Unlike the left turn for Xerox Drive discussed above, Applicant is only responsible for 15.3% of the left turn lane on Parkway at Printer Parkway because Printer Parkway is designated in the TSP to become a public street, while Xerox Drive is solely a private access point.

The City analyzed the existing and anticipated vehicle trips traveling southbound on Parkway and turning left onto Printer Parkway. The TIA demonstrates that existing left turns at Printer Parkway is 47 vehicles during AM peak hours. Attachment 3 (DKS Evaluation), page 3. Another approved development is anticipated to add 25 vehicle trips and the Proposed Development is anticipated to add 13 vehicle trips. Attachment 3 (DKS Evaluation), page 3. Of the 85 total left-turn vehicle trips ($47 + 25 + 13 = 85$), the Proposed Development represents 15.3% of those trips ($13/85 = 0.1529$). Costs of construction of the left turn lane on Parkway to Printer Parkway above 15.3% are not the responsibility of Applicant, and thus Applicant will be entitled to TSDC credits for 84.7% of the turn lane costs.

2. Public Utility Easement – Parkway

2.1. 10-Foot PUE

The City currently has a ten-foot PUE, as noted in the 2015 partition plat that partitioned the southwestern portion of prior Xerox campus into two parcels. *See* Attachment 6. The 2015 partition plat is recorded as document no. 2015-074482 in the Clackamas County Official Records. Thus, Applicant is not required to provide additional property for the PUE.

2.2. Utility Installation

Developer must also install, or have installed, utility lines including, but not limited to, those required for power, communication, street lighting, gas, cable television services and related facilities, which must be placed underground. *See* Conditions of Approval.

When the City approves any new development, WC 4.300-4.320 requires that a condition of that development is that all utility lines will be undergrounded, including those for power, communication, street lighting, gas, cable television services, and related facilities.¹² This requirement is not subject to Takings analysis because the utility lines are to serve the private development. As explained in *Dolan*, legislative determinations that establish requirements for all development in the City do not effect a taking. 512 US at 384-85. Regulations such as zoning, height restrictions, setbacks, character of materials and methods of construction, are legislative regulations that apply to broad swaths of private property, not a specific development that must mitigate its impact. *See Village of Euclid, Ohio v. Ambler Realty Co.*, 272 US 365 (1926) (discussed in *Dolan*, 512 US at 384-85); *see also Schultz v. City of Grants Pass*, 131 Or App 220, 227 (1990) (explaining the distinction because legislative enactments that apply generally to all similarly situated properties). Unlike the street dedication and construction requirements that are specific to the Proposed Development due to its adjacency to Parkway and Printer Parkway, undergrounding utilities is a general, legislative requirement for all development in the City. The utilities are necessary for the Proposed Development to operate, and so when Applicant installs its needed utilities, the utilities must be placed underground.

Moreover, particularly with regard to undergrounding electric power lines, the City's requirement furthers resiliency and reliability of the service for Applicant and its future tenants. Power disruption is much less likely to happen to the Proposed Development when the power is undergrounded because power lines will not be subject to extreme weather events such as wind or ice. Oregon and Wilsonville have seen more significant weather events in recent years. Power reliability is directly related to whether power lines are aboveground or underground. Additionally, extreme weather and aboveground power lines have caused significant fire events in Oregon and the western United States, resulting in catastrophic damage to private property. The City's legislative policy decision to require undergrounding of utilities throughout the City is an exercise of its police power to protect the health, safety, and welfare of private property and community members to have resilient systems protected from extreme weather events.

Even assuming, without admitting, that undergrounding utility lines should be proportionately allocated, as Applicant argues, due to the aesthetic benefit to the City, the benefit is nominal compared to Applicant's proportional benefit and impact, as discussed below.

2.2.1. Rough Proportionality

First, no other properties benefit from the utility lines being undergrounded because the utility lines are already undergrounded up to the southern edge of the Property and then will remain above-ground immediately north of the Property until the property to the north is developed. No other properties, nor the City, will connect to the utility lines to be installed and undergrounded. Applicant is the entity that needs to connect to franchise utilities, and the City requires that connections must be underground instead of above-ground. Thus, the only benefitting party to the utility lines is the Applicant.

Second, assuming, without admitting, that aesthetic benefits represent a Taking, the above-ground power lines along the frontage of the Property represent only 1000 linear feet out of a total of 65,325 linear feet of overhead power lines in the City. The aesthetic benefit to the City is

¹² *See also* Wilsonville Comprehensive Plan Policy 3.1.13 and Implementation Measures 3.1.13.a. and 3.1.13.b.
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thus only 1.53% for the undergrounding of the power lines. Conversely, Applicant receives significantly more benefit by removing poles and power lines that obstruct its Proposed Development and take away from the overall appearance of the Proposed Development. Applicant is adjacent to Interstate 5. The undergrounding of the power lines will benefit the Proposed Development's overall impact and appeal for all traffic, particularly industrial truck traffic, that commutes over Interstate 5. Applicant even highlights the adjacency to I-5 as a reason for why it seeks to construct the Proposed Development in the particular location. *See* Application Design Narrative, page 2. Applicant's building is a spec building where Applicant will be seeking industrial tenants. The aesthetic appeal of the Proposed Development is significantly more important to the success of the Proposed Development than the 1.53% aesthetic benefit to the City. The aesthetic benefit, coupled with the benefit to Applicant to access the power lines, and the benefits of additional resiliency, safety, and fire prevention, demonstrates that requiring Applicant to bear 100% of the responsibility for such costs is roughly proportional to the benefits to Applicant.

The City reiterates, however, that: (1) Applicant solely benefits from installing and connecting to utilities; (2) requiring utilities to be undergrounded is a legislative policy action under the City's police powers; and (3) aesthetic standards such as screening, landscaping, articulations, window cover, undergrounding, and more, are not Takings but rather the requirements to construct in the City.

B. Printer Parkway

1. Improvement of SW Printer Parkway Avenue from eastern edge of Parkway to eastern edge of Parcel 5 (Developer Responsibility)

This Section IV(B)(1) discusses the following off-site improvements required of Applicant on Printer Parkway:

- Dedication of 36.5 feet of right-of-way (20 feet currently included in public access easement, additional 16.5 feet needed); and
- 541 linear feet of the collector half-street improvement consisting of an eastbound travel lane, bicycle lane, planter strip, and sidewalk. Importantly, the City is not requiring a median for Printer Parkway, which would be an additional six (6) foot cross-section requirement of Applicant.

Many of the same policies and arguments for Applicant to construct a portion of Parkway apply to Printer Parkway. The Applicant is only required to construct the eastbound travel lane, buffered bicycle lane, and half of the median/turn lane, which equals 25 feet of the Printer Parkway cross-section. As stated in the WC, TSP, and PW Standards, Applicant is 100% responsible for the cost of only 24 feet of the cross-section from face of curb, and so will be eligible for TSDCs for the additional one (1) foot of the cross-section. The City provides its rough proportionality related to Printer Parkway as follows: (1) the 24 feet of the cross-section; and (2) the dedication of an additional 16.5 feet of right-of-way. The City also discusses the public utility easement in Subsection (B)(2) below. City incorporates by reference as if fully set forth herein Subsections 1.5 and 1.7 regarding street lights and planter strips.

1.1. Correcting Non-Compliance

While the City sets forth herein the *Nollan/Dolan* analysis for the construction of Printer Parkway, the City begins with a more foundational issue. Applicant is currently not in compliance with the City's partition approval from 2016. *See* Attachment 8 (AR16-0037), page 5. That approval required, as a condition of approval (PF 7), that Applicant, the purchaser of the property to the north that was partitioned, and the City enter into an agreement regarding "future requirements and responsibilities for street improvements [regarding Printer Parkway] tied to future development." The length of Printer Parkway from Parkway to the eastern edge of the parcel partitioned in 2018 that fronts Printer Parkway is 1760 feet and the length of Printer Parkway from Parkway to the adjacent Xerox property is 2661 feet. The full length of Printer Parkway from Parkway to Canyon Creek Road is 3354 feet. *See* Attachment 13 (linear feet of Printer Parkway derived from Exhibit B to Application, page 31 – Preliminary Partition Plat). It should be noted that PF 7 does not limit the requirement regarding future improvements to Printer Parkway to only the portion fronting the parcel to the north that was partitioned in 2018.

As discussed below, the City will allow, as consideration for compliance with PF 7, that Applicant perform Applicant's proposed Printer Parkway improvements through Applicant's proposed driveway on Printer Parkway, which represents approximately one-third of the length of Printer Parkway along the partitioned parcel to the north and less than 20% of the length of Printer Parkway.

Despite years of effort by the City to effectuate such an agreement with Applicant, no agreement was signed. Thus, Applicant must either: (1) come into compliance with condition of approval PF 7; or (2) the City will consider compliance of PF 7 satisfied by providing the off-site improvements to Printer Parkway that it identifies in its "Offsite Improvements – Proposed" drawing. *See* Exhibit B to Application, page 8.

The City is prohibited from signing a development approval when outstanding land use compliance issues exist on the site. *See* WC 4.004(.02). Thus, until Applicant resolves the non-compliance of the prior partition decision, the development approval cannot be provided by the City.

1.2. Half-Street Improvement

Printer Parkway is currently private with a 40-foot wide Public Access Easement and 8-foot wide PUE on each side of the Public Access Easement. Printer Parkway was not constructed to public standards as it was always a private street.

During PM peak hours on Printer Parkway, the TIA identified 130 vehicle trips on Printer Parkway between existing conditions and the Stage II development, Twist Bioscience. Attachment 2 (TIA), page 15. The TIA also states that the Proposed Development will add 31 additional PM peak hour trips on Printer Parkway. *Id.* Thus, compared to existing conditions and previously approved development, the Proposed Development will add 23.8% capacity onto Printer Parkway ($31/130 * 100 = 23.8\%$). The City is only requiring Applicant to be responsible for the cost of 32.9% of the full cross-section improvement along its Printer Parkway frontage through its proposed driveway ($24 \text{ ft}/73 \text{ ft} * 100 = 32.9\%$).

The length of the Proposed Development's frontage through the driveway is 541 linear feet. *See* Attachment 13 (measurements derived from Exhibit B to Application, page 31 – Preliminary Partition Plat). As Applicant noted in its own traffic analysis, the Proposed Development will utilize Printer Parkway to both Parkway and Canyon Creek Road. Thus, when determining Applicant's responsibility to perform improvements on Printer Parkway, the City examined the required improvement compared to the length of Printer Parkway from Parkway to Canyon Creek Road (3354 feet). *Id.* Compared to the 3354 feet of Printer Parkway that Applicant will impact, Applicant is only responsible for **5.3%** of the half street improvement for Printer Parkway (541 ft is 16.1% of 3354 ft; 32.9% of 16.1% is 5.3%).

Limiting the review of Applicant's proportionate share to the length of Applicant's Property along Printer Parkway (i.e., from Parkway to the Xerox property), which is 2661 feet (*see id.*), Applicant is only responsible for the costs of **6.7%** of the half street improvements (541 ft is 20.3% of 2661 ft; 32.9% of 20.3% is 6.7%). Applicant's contribution is less than Applicant's impact to Printer Parkway, even if limited to only the length of Printer Parkway along and within Applicant's Property.

Even the most conservative calculation demonstrates that Applicant's responsibility is still significantly less than Applicant's impact to Printer Parkway. Examining only that portion of Printer Parkway that is the subject of the condition of approval in PF 7 (the length of Printer Parkway along the frontage of the partitioned property to the north), Applicant's contribution is **10.1%** (541 ft is 30.7% of 1760 ft¹³; 32.9% of 30.7% is 10.1%), which is still less than Applicant's impact to Printer Parkway

As explained below, the City is requiring Applicant to complete less than its proportionate impact to Printer Parkway in light of additional right-of-way acquisition required from Applicant to construct the right-of-way along the Proposed Development's frontage to its proposed driveway.

1.3. Dedication

As further condition for the Proposed Development's impacts on Printer Parkway, the City requires dedication of an additional 16.5 feet of right-of-way on the southern edge of the current public access easement through the length of the Property (i.e., from Parkway to Parcel 2 of Partition Plat 2015-083)¹⁴. The 16.5 feet represents 22.6% of the cross-section needed for Printer Parkway ($16.5/73 * 100 = 22.6\%$).

The length of the Property equals 2661 linear feet. It represents 79.3% of the total length of Printer Parkway ($2661/3354 * 100 = 79.3\%$). Applying the percentage of needed right of way (22.6%) to the Property portion of Printer Parkway (79.3%), the additional right-of-way dedication equals **17.9%** of the total Printer Parkway right-of-way ($0.793 * 0.226 * 100 = 17.9\%$).

¹³ *See* Attachment 13.

¹⁴ There currently exists a 40-foot public access easement along Printer Parkway previously provided to the City in anticipation of Printer Parkway becoming a public street. *See* Attachment 10. Thus, the public access easement will be converted to a right-of-way dedication, but the essence of the easement will not change since a road currently exists in that location that grants public access.

Combining the percentages of the improvements and the right-of-way dedication demonstrates that Applicant's contribution to Printer Parkway is as follows: 5.3% + 17.9% = **23.2%**. Thus, the Developer Responsibility required of the Applicant is roughly proportional the Proposed Development's impact of 23.8% on Printer Parkway.

2. Public Utility Easement – Printer Parkway

The City currently has an eight (8) foot PUE along the north and south edges of Printer Parkway. However, the required and justified right-of-way for Printer Parkway will conflict with the PUE. Thus, the PUE will need to be relocated outside of the right-of-way. Similar to the City's current sidewalk easement along Parkway, *Nollan/Dolan* analysis does not apply to an already existing property interest that the City has that must be relocated due to the Applicant's required improvements. Since Applicant is required to dedicate and construct part of Printer Parkway, as described above, then that obligation requires Applicant to relocate the existing PUE that the City has.

The City also notes that the PUE is within the 30-foot setback requirement for the Proposed Development where no structures may be placed and the PUE area counts toward the Proposed Development's landscape requirement. *See* WC 4.135(.06) ad 4.176; *see also State By and Through Dept. of Transp. v. Lundberg*, 100 Or App 601 (1990) (even without dedication, property owner could not develop within setback area and so was not deprived economically viable use of his land). Thus, the PUE is a benefit to the Applicant, and any infrastructure contained within the PUE would exist for the purpose of serving the Proposed Development and the Property at large.

V. SDC CREDITS

For the improvements that share responsibility for costs, Applicant is entitled to credits toward future systems development charges that Applicant may pay as part of development. Under the Wilsonville Code, SDCs are due and payable at issuance of building permits. WC 11.080(1)(a). Typically, private development must construct public improvements required as part of development approval prior to issuance of building permits so SDC credits may be applied to the building permit for the particular development. Any unused SDC credits can be used for future developments or sold. WC 11.100(6)(a).

The City also allows, in the City's sole discretion, to issue a refund of SDCs collected by issuing a check to the developer. WC 11.100(6)(b). While this is the exception to the general rule of issuing SDC credits, the City has a practice of issuing SDC refund checks particularly for industrial development since industrial developers are less likely to use SDC credits within the ten-year time period stated in the code (WC 11.100(6)(c)). Thus, the City anticipates that Applicant may be able to seek a refund check in lieu of receiving SDC credits.

VI. CONCLUSION

To date, Applicant has only made generalized statements challenging the City's requirements and argued it only has a certain amount of funds to dedicate to off-site public improvements. The

case law does not support Applicant's arguments as to cost – the only two relevant questions are whether there is an essential nexus between legitimate government interests and the required improvements, and whether the Developer Responsibility improvements are roughly proportional to the impact of the Proposed Development.

The City has submitted ample evidence, through several different scenarios, broken down in individual components, to demonstrate that: (1) an essential nexus exists between the City's interest in an efficient, safe, convenient, and connected transportation system and the required public improvements; and (2) the required public improvements are roughly proportional to the Proposed Development's impacts and to the benefits the Proposed Development will receive as a result of the public improvements. The City recommends that the Development Review Board find that the City has made sufficient findings to establish the essential nexus and rough proportionality requirements to justify the required public improvements.

ATTACHMENT 1 TO *NOLLAN/DOLAN* FINDINGS

Applicable Provisions of Wilsonville Code, TSP, Bike-Ped Plan, and PW Standards

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1. Wilsonville Code Requirements for Street Improvements

1.1. WC 4.177

Under the general development regulations in the WC (WC 4.154 through 4.199.60), the specific street improvement standards are found in WC 4.177. As stated in the opening paragraph of WC 4.177, the purpose of WC 4.177 “is to ensure that development, including redevelopment, provides transportation facilities that are safe, convenient, and adequate in rough proportion to their impacts.” The particular details of required street improvements is further explained in WC 4.177(.01) and (.02):

“(01) Development and related public facility improvements shall comply with the standards in this section, the Wilsonville Public Works Standards, and the Transportation System Plan, in rough proportion to the potential impacts of the development. Such improvements shall be constructed at the time of development or as provided by [Section 4.140](#), except as modified or waived by the City Engineer for reasons of safety or traffic operations.

(.02) *Street Design Standards:*

A. All street improvements and intersections shall provide for the continuation of streets through specific developments to adjoining properties or subdivisions.

1. Development shall be required to provide existing or future connections to adjacent sites through the use of access easements where applicable. Such easements shall be required in addition to required public street dedications as required in [Section 4.236\(.04\)](#).”

WC 4.177(.03) also requires sidewalks as a part of street improvements along the frontage of new development:

“Sidewalks. Sidewalks shall be provided on the public street frontage of all development. Sidewalks shall generally be constructed within the dedicated public right-of-way, but may be located outside of the right-of-way within a public easement with the approval of the City Engineer.

A. Sidewalk widths shall include a minimum through zone of at least five feet. The through zone may be reduced pursuant to variance procedures in Section 4.196, a waiver pursuant to Section 4.118, or by authority of the City Engineer for reasons of traffic operations, efficiency, or safety.

B. Within a Planned Development, the Development Review Board may approve a sidewalk on only one side. If the sidewalk is permitted on just one side of the

street, the owners will be required to sign an agreement to an assessment in the future to construct the other sidewalk if the City Council decides it is necessary.”

1.2. WC 4.200-4.290

For proposed developments that involve the approval for plats for property divisions, which is the case for this Proposed Development, WC 4.200 through 4.290 also contain requirements for street improvements. WC 4.200 explains the purpose of these Land Division Regulations:

“The City Council hereby finds and deems that it is reasonable and necessary, in order to accomplish the orderly development of land within the corporate limits of the City, and in order to promote the public health, safety and general welfare of the City, to enact these sections, to be hereinafter known as the ‘Land Division Regulations of the City of Wilsonville, Oregon,’ in order to provide rules, regulations and standards to govern the approval of plats for subdivisions, land partitions, condominium divisions, and plans for other property divisions, to carry out the development pattern and plan of the City and to promote the public health, safety and general welfare thereof, and in order to lessen congestion of streets, secure safety from fires, flood, pollution and other dangers and to provide adequate light and area, and to prevent overcrowding of land, improve connectivity from one part of the community to another, and to facilitate adequate provision for transportation, water supplies, sewage, drainage, education, recreation and other needs of the people of the City, and to prescribe procedures to be followed in submitting plans and plats of land divisions for approval by the City.”

The particular street standards within the Land Division Regulations are found in WC 4.236 and WC 4.262. WC 4.236 also provides the general requirements for streets:

“(01) *Conformity to the Transportation System Plan.* Land divisions shall conform to and be in harmony with the Transportation Systems Plan, the Bicycle and Pedestrian Master Plan, and the Parks and Recreation Master Plan.

(.02) *Relation to Adjoining Street System:*

A. A land division shall provide for the continuation of the principal streets existing in the adjoining area, or of their proper projection when adjoining property is not developed, and shall be of a width not less than the minimum requirements for streets set forth in these regulations. Where, in the opinion of the Planning Director or Development Review Board, topographic conditions make such continuation or conformity impractical, an exception may be made. In cases where the Board or Planning Commission has adopted a plan or plat of a neighborhood or area of which the proposed land division is a part, the subdivision shall conform to such adopted neighborhood or area plan.

B. Where the plat submitted covers only a part of the applicant's tract, a sketch of the prospective future street system of the unsubmitted part shall be furnished and the street system of the part submitted shall be considered in the light of adjustments and connections with the street system of the part not submitted.

C. At any time when an applicant proposes a land division and the Comprehensive Plan would allow for the proposed lots to be further divided, the City may require an arrangement of lots and streets such as to permit a later resubdivision in conformity to the street plans and other requirements specified in these regulations.

(.03) All streets shall conform to the standards set forth in [Section 4.177](#) and the block size requirements of the zone.

(.04) *Creation of Easements.* The Planning Director or Development Review Board may approve an easement to be established without full compliance with these regulations, provided such an easement is the only reasonable method by which a portion of a lot large enough to allow partitioning into two parcels may be provided with vehicular access and adequate utilities. If the proposed lot is large enough to divide into more than two parcels, a street dedication may be required.

(.05) *Topography.* The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of these regulations.

(.06) *Reserve Strips.* The Planning Director or Development Review Board may require the applicant to create a reserve strip controlling the access to a street. Said strip is to be placed under the jurisdiction of the City Council, when the Director or Board determine that a strip is necessary:

A. To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street; or

B. To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards established by the City; or

C. To prevent access to land abutting a street of the land division but not within the tract or parcel of land being divided; or

D. To prevent access to land unsuitable for building development.

(.07) *Future Expansion of Street.* When necessary to give access to, or permit a satisfactory future division of, adjoining land, streets shall be extended to the boundary of the land division and the resulting dead-end street may be approved without a turn-around. Reserve strips and street plugs shall be required to preserve the objective of street extension. Notification that the street is planned for future extension shall be posted on the stub street.

(.08) *Existing Streets.* Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall conform to the designated width in this Code or in the Transportation Systems Plan.

(.09) *Street Names.* No street names will be used which will duplicate or be confused with the names of existing streets, except for extensions of existing streets. Street names and numbers shall conform to the established name system in the City, and shall be subject to the approval of the City Engineer.”

Finally, WC 4.262 includes standards for street improvements by developers. As an introduction to specific requirements, WC 4.260 states that improvements installed by the developer must “conform to the requirements of this [Wilsonville] Code and improvement standards and specifications of the City. The improvements shall be installed in accordance with the City’s Public Works Standards.” Following that general statement, WC 4.262(.01) explains the public improvement requirements for streets. It states:

“Streets within or partially within the development shall be graded for the entire right-of-way width, constructed and surfaced in accordance with the Transportation Systems Plan and City Public Works Standards. Existing streets which abut the development shall be graded, constructed, reconstructed, surfaced or repaired as determined by the City Engineer.”

Similarly, WC 4.262(.02) states that street curbs must be “constructed in accordance with standards adopted by the City.”

2. TSP Regulations Re: Deficiencies, Minor Arterial, Collector, Freight Route, Bicycle Facilities, and Sidewalks

2.1. Deficiencies

Executive Summary of TSP lists Parkway and Printer Parkway improvements as priority projects, labeled UU-05 and UU-09 respectively, noting multi-modal connectivity and safety issues:

HIGHER PRIORITY PROJECTS (LISTED ALPHABETICALLY BY IMPROVEMENT

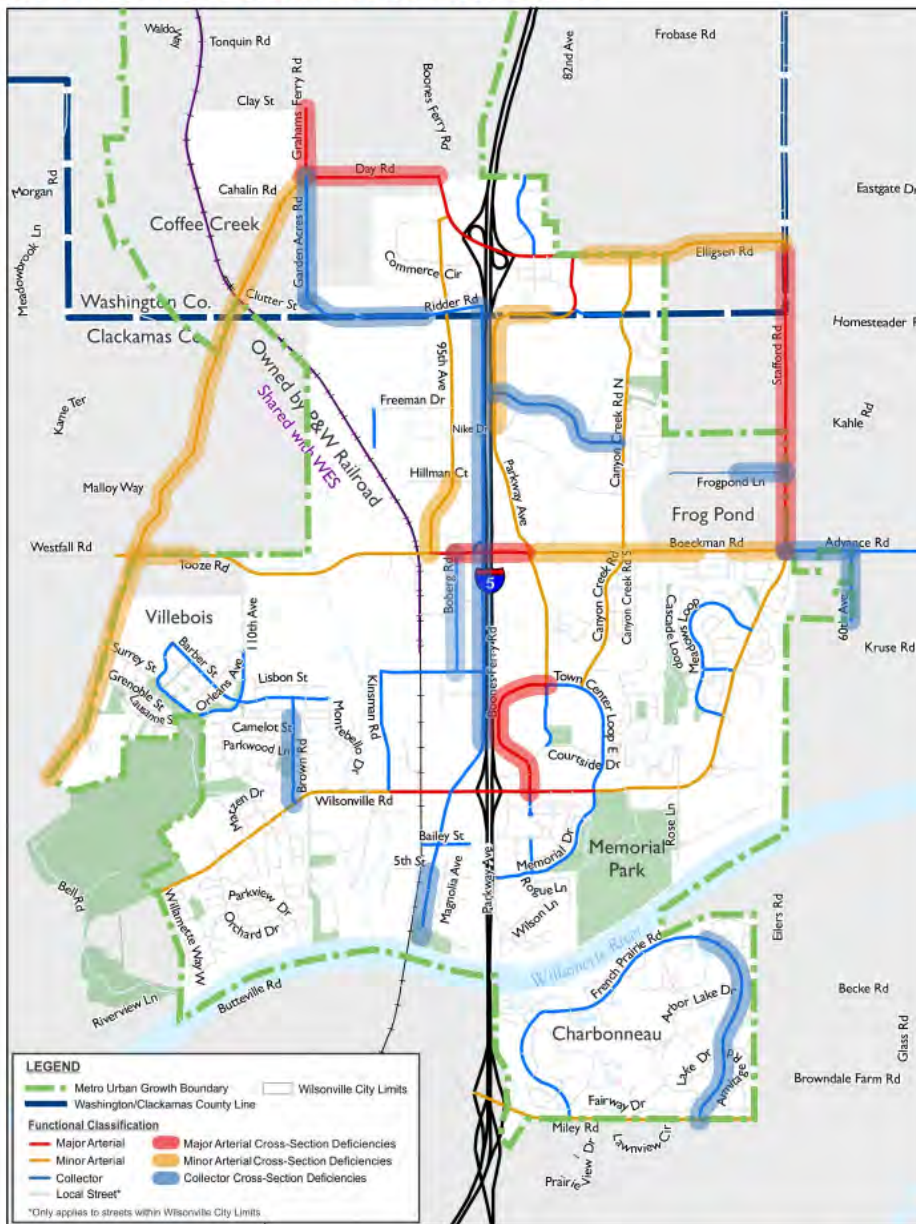
No.	Higher Priority Project
Roadway Extensions (Multimodal Connectivity)	
RE-04A	Corridor Study for Brown Road Extension
RE-04B	Brown Road Extension (5th Street Connection)
RE-13	Java Road Connection and Signal
RE-11	Meridian Creek Middle School Site Improvements
RE-12A	Frog Pond West Neighborhood Collector Roads
RE-12B	Frog Pond South Neighborhood Collector Roads
RE-14	Basalt Creek Parkway Connection
RE-15	Park Place Extension
RE-16	Courtside Drive Extension
Roadway Widening (Capacity)	
RW-01	Boeckman Road Bridge and Corridor Improvements
RW-02	Day Road Widening
RW-03	Widen Wilsonville Road East of Boones Ferry Road
RW-04	Boones Ferry Road Widening
RW-05	Grahams Ferry Road Widening
Urban Upgrades (Multimodal Connectivity and Safety)	
UU-01	Boeckman Road Dip Improvements
UU-02	Boeckman Road Urban Upgrade
UU-03	Brown Road Upgrades
UU-04	Grahams Ferry Urban Upgrade
UU-05	Parkway Avenue Urban Upgrade
UU-06	Stafford Road Urban Upgrade
UU-07	Tooze Road Urban Upgrade
UU-08	Garden Acres Road Urban Upgrade
UU-09	Printer Parkway Urban Upgrade
UU-10	Advance Road Urban Upgrade
UU-11	Park Place Redesign
UU-12	Park Place at Town Center Redesign
UU-13	Courtside Drive Upgrades
Spot Improvements (Transportation System Management/Operations)	
SI-02	Grahams Ferry Railroad Undercrossing Project Development
SI-03	Stafford Road/65th Avenue Intersection Improvements
SI-05	Curb Extension Removal on Boones Ferry Road
SI-06	Truck Turning Improvements SW Kinsman Road
SI-07	Dual Southbound Right Turn Lanes on I-5 Off-Ramp at Boones Ferry Road
SI-08	Boones Ferry Road/95th Avenue Access Management
SI-09	Wilsonville Road/Town Center Loop West Turn Lane Removal
SI-10	Wilsonville Road/Park Place Traffic Signal
SI-11	Wilsonville Road/Town Center Loop East Dual Turn Lanes
Bikeways and Walkways (Standalone Pedestrian and Bicycle Improvements)	
BW-01 A/B	Canyon Creek Road Enhanced Pedestrian Crossings
BW-02	95th Avenue Sidewalk Infill

No.	Higher Priority Project
Bikeways and Walkways (Standalone Pedestrian and Bicycle Improvements) . . . Continued	
BW-03	Boberg Road Sidewalk Infill
BW-04	Boeckman Road Bike Lanes and Sidewalk Infill
BW-05	Willamette Way East Sidewalk Infill
BW-06	Willamette Way West Sidewalk Infill
BW-07	Boones Ferry Road Sharrows
BW-08	Town Center Loop Pedestrian, Bicycle, and Transit Improvements
BW-09a	I-5 Bike/Pedestrian Bridge
BW-09b	I-5 Bike/Pedestrian Bridge Gateway Treatments
BW-10	French Prairie Drive Pathway
BW-12	Parkway Center Trail Connector
BW-13	Villebois Loop Trail
BW-14	Wayfinding Signage
BW-15	Property Acquisitions for Bike/Ped Connectivity
BW-16	Town Center Loop West Bicycle Lanes
BW-17	Wilsonville Road/Rebekah Street Enhanced Pedestrian Crossing
BW-18	Park Place Promenade
BW-19a	Cycle Track: Ped/Bike Bridge to Town Center Park
BW-19b	Cycle Track: Town Center Loop East
BW-20	West Promenade
Safe Routes to School (Standalone Pedestrian and Bicycle Improvements)	
SR-01	Boeckman Creek Primary Safe Routes to School Improvements
SR-02	Boones Ferry Primary Safe Routes to School Improvements
SR-03	Lowrie Primary Safe Routes to School Improvements
SR-04	Wood Middle School Safe Routes to School Improvements
Local Trails (Standalone Pedestrian and Bicycle Improvements)	
LT-01	Memorial Park Trail Improvements
LT-02	Basalt Creek Canyon Ridge Trail
LT-03	I-5 Easement Trail
Regional Trails (Standalone Pedestrian and Bicycle Improvements/Safety)	
RT-01A	Boeckman Creek Trail (North)
RT-01B	Boeckman Creek Trail (South)
RT-03A	Tonquin Trail (North)
RT-03B/C	Tonquin Trail (Villebois)
RT-04	Waterfront Trail Improvements
RT-05	Wiedemann Road Trail
RT-06	Willamette River Bike/Pedestrian/Emergency Bridge Project Dev.
RT-07	Revised Frog Pond Regional Trail
Transit Improvements	
TI-01	Pedestrian Access to Transit
TI-02	Transit Street Improvements

The TSP notes where cross-section deficiencies currently exist, including Parkway and Printer Parkway. The TSP explains that the City has adopted cross-section standards to guide roadway design based on the street’s functional classification to provide safe transportation choices for users. Building cross-sections to appropriate standards “is critical to assure a safe and well connected transportation system. If bike lanes and sidewalks are missing, the users of these facilities are likely using other portions of the roadway (motor vehicle travel lanes or shoulders) that may be unsafe.” TSP, 4-4. The TSP includes as a demonstrative the current cross-section of Parkway at the Property.

The TSP identifies where cross-section deficiencies currently exist, which includes Parkway and Printer Parkway:

FIGURE 4-1. ROADWAY CROSS-SECTION DEFICIENCIES



The TSP provides a description of the needed urban upgrades to Parkway and Printer Parkway in Table 5-3 of the TSP:

Table 5-3. Higher Priority Projects (Northeast Quadrant)

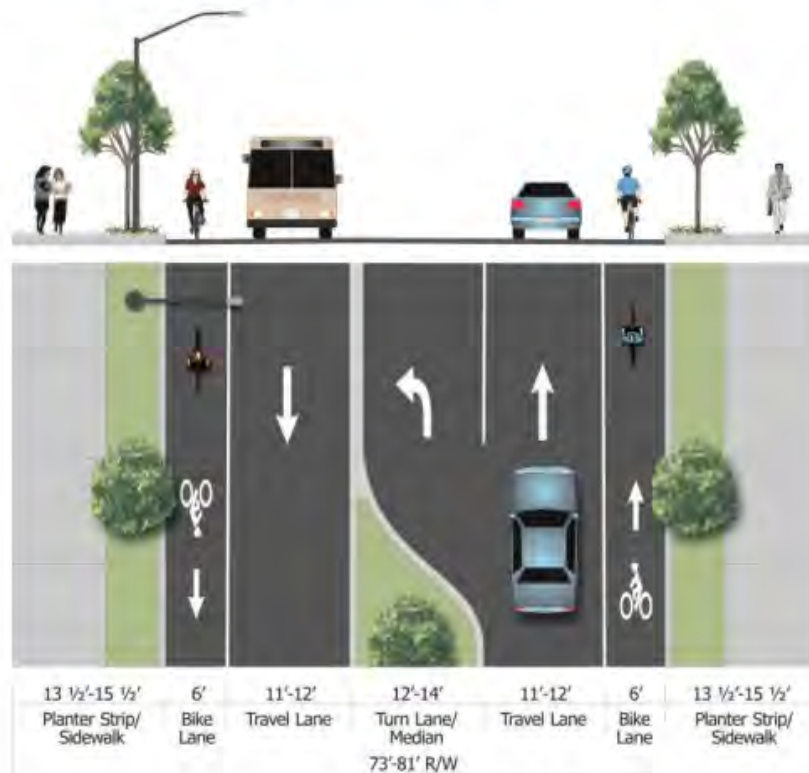
Project	Description	Cost
Roadway Extensions		
RE-11 Meridian Creek Middle School Site Improvements	Construct the collector roadways and site improvements associated with the proposed Meridian Creek Middle School site.	\$1,600,000
RE-12A Frog Pond West Neighborhood Collector Roads	Construct the collector roadways within the west neighborhood as identified in the Frog Pond Area Plan.	\$9,510,000
RE-12B Frog Pond South Neighborhood Collector Roads	Construct the collector roadways within the south neighborhood as identified in the Frog Pond Area Plan.	\$2,650,000
Roadway Widening		
RW-01 Boeckman Road Bridge and Corridor Improvements	Widen Boeckman Road from Boberg Road to 500 feet east of Parkway Avenue to include additional travel lanes in both directions along with bike lanes and sidewalks; project includes reconstruction of the bridge over I-5 and improvements at Boeckman Road/Boberg Road and Boeckman Road/Parkway Avenue intersections and adjacent transit stops.	\$13,600,000
Urban Upgrades		
UU-01 Boeckman Road Dip Improvements	Upgrade at vertical curve east of Canyon Creek Road to meet applicable cross-section standards (i.e., 3 lanes with bike lanes, sidewalks, and transit stop improvements); options should also be considered to make connections to the regional trail system and to remove the culvert and install a bridge.	\$12,220,000
UU-02 Boeckman Road Urban Upgrade	Upgrade to meet applicable cross-section standards (i.e., 3 lanes with bike lanes, sidewalks, and transit stop improvements); project includes a traffic signal or roundabout at the Boeckman Road-Advance Road/Stafford Road-Wilsonville Road Intersection.	\$2,100,000
UU-05 Parkway Avenue Urban Upgrade	Upgrade to meet applicable cross-section standards (i.e., 3 lanes with bike lanes, sidewalks, and transit stop improvements).	\$5,000,000
UU-06 Stafford Road Urban Upgrade	Upgrade to meet applicable cross-section standards (i.e., 3 lanes with bike lanes, sidewalks, and transit stop improvements).	\$4,200,000
UU-09 Printer Parkway Urban Upgrade	Upgrade Printer Parkway to a three-lane collector with bicycle lanes and multiuse path.	\$3,600,000
UU-10 Advance Road Urban Upgrade	Upgrade Advance Road to collector standards starting at Stafford Road to the proposed 63 rd Avenue (entrance to proposed Meridian Creek Middle School).	\$3,175,000
Spot Improvements		
SI-03 Stafford Road/65th Avenue Intersection Improvements	Improve turn radii, sight distance and grade differential by combining intersections as either a roundabout or traffic signal.	\$2,000,000 (Partial County funding)
Standalone Pedestrian and Bicycle Improvements (Bikeways and Walkways)		
BW-01 Canyon Creek Road Enhanced A/B Pedestrian Crossings	Install two new pedestrian crossings of Canyon Creek Road that include rectangular rapid flashing beacons (RRFBs), center pedestrian median island, signage, etc. (final locations to be determined).	\$130,000
BW-04 Boeckman Road Bike Lanes and Sidewalk Infill	Construct bike lanes (both sides of street) and sidewalks (south side of street) from Parkway Avenue to Canyon Creek Road.	\$515,000
BW-12 Parkway Center Trail Connector	Construct shared-use path as development occurs; with connection to proposed regional trail (Wiedemann Road Trail) on the south.	\$120,000
Standalone Pedestrian and Bicycle Improvements (Regional Trails)		
RT-01A Boeckman Creek Trail (North)	Construct north-south trail through east Wilsonville following Boeckman Creek, with connections to neighborhoods, parks, and intersecting roads (may need a boardwalk for various sections and would require a comprehensive public process).	\$850,000
RT-05 Wiedemann Road Trail	Construct east-west trail in north Wilsonville near the Xerox campus with City responsible for portion through developed land and future developer responsible for portion on future development site.	\$340,000
RT-07 Revised Frog Pond Regional Trail	Construct the regional trail identified in the Frog Pond Area Plan.	\$700,000

5-8 Wilsonville Transportation System Plan 2013

2.2. Minor Arterial Cross-Section

The TSP establishes the standard for a standard minor arterial cross-section. The TSP requires the cross-section to include bicycle lanes, planter strips, and sidewalks. Parkway has additional standards regarding bicycle lanes and paving material discussed below due to its designation as a freight route.

FIGURE 3-7. MINOR ARTERIAL CROSS-SECTION



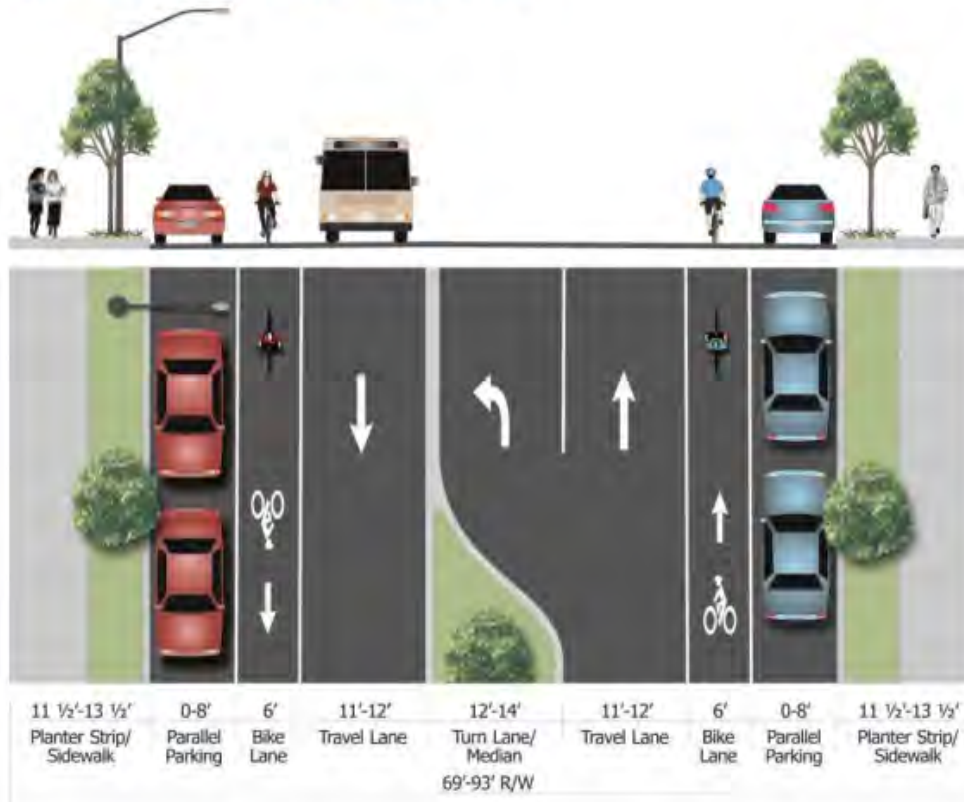
Notes:

1. Travel lane and turn lane/median widths as determined by Community Development Director.
2. Minimum sidewalk width is 5 feet; actual sidewalk width as determined by Community Development Director. Width of sidewalk/planting strip may be combined in commercial/retail areas for a total width of 13½ to 15½ feet; street trees shall be located in minimum 4-foot tree wells.
3. Curb width of ½ foot is included in the sidewalk/planter strip width.
4. Street lights shall be located within the planter strip, center landscape median, or sidewalk as determined by Community Development Director.
5. Striping and signage as required in the PW Standards.
6. On-street parking is not allowed.
7. Transit stop locations to be determined by Transit Director.
8. When not needed as a left-turn lane, median may be provided to serve safety, stormwater, or aesthetic objectives.
9. New streets shall incorporate low impact development design as practicable.
10. Allow for separation for bikes on minor arterials (especially freight routes).

2.3. Collector Cross-Section

The cross-section for a collector, like Printer Parkway, is also provided in the TSP. As with minor arterials, the TSP requires the cross-section to include bicycle lanes, planter strips, and sidewalks. As noted by the PW Standards, Printer Parkway has slightly fewer requirements because on-street parallel parking will not be required.

FIGURE 3-8. COLLECTOR CROSS-SECTION



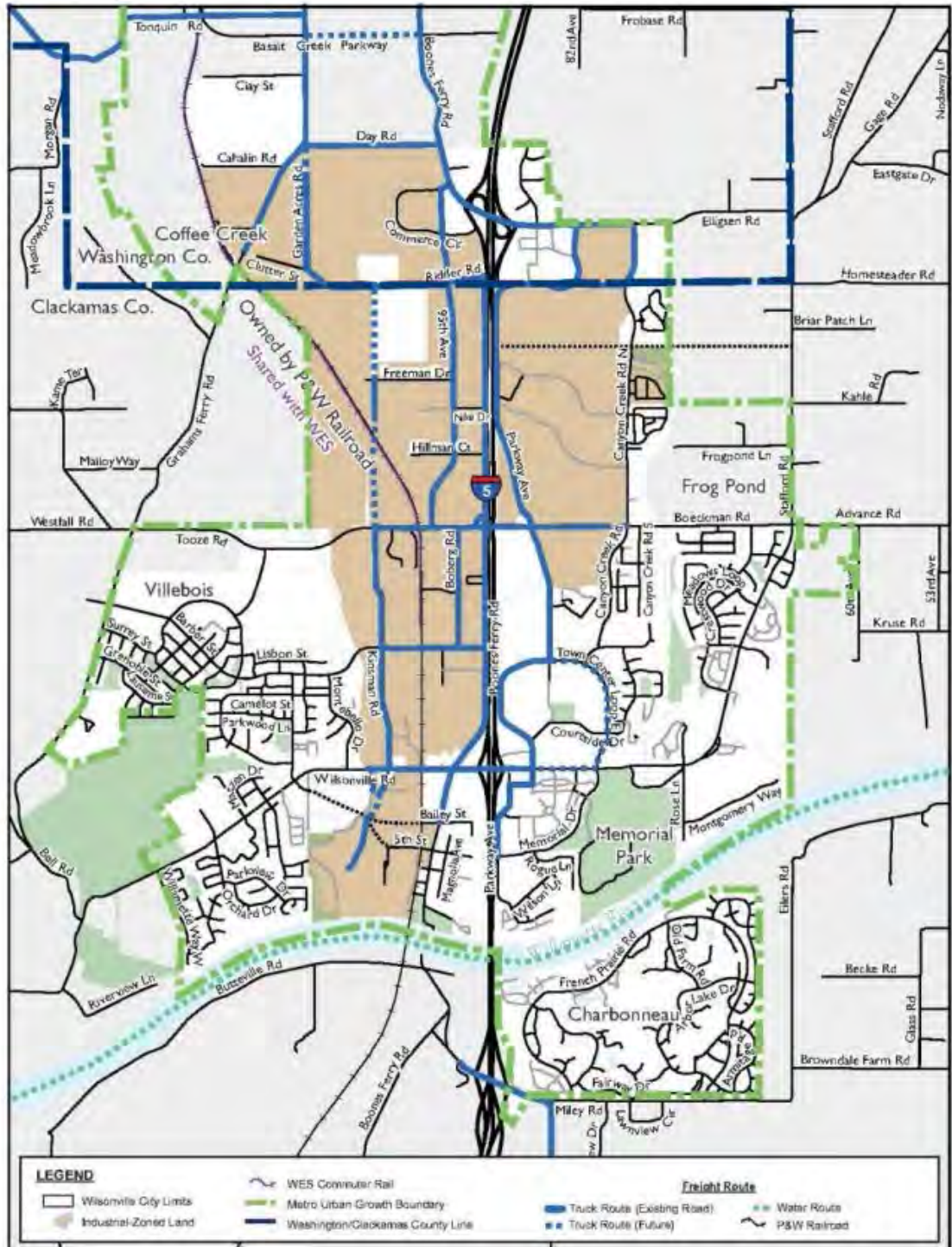
Notes:

1. Collector right-of-way varies between 59 to 89 feet as determined by Community Development Director based on surrounding planned development of residential, commercial or industrial and need for on-street parking and/or turn lane/median.
2. Minimum sidewalk width is 5 feet; actual sidewalk width as determined by Community Development Director. Width of sidewalk/planting strip may be combined in commercial/retail areas for a total width of 11½ to 13½ feet; street trees shall be located in minimum 4-foot tree wells.
3. Curb and sidewalk bulb-outs at crosswalks or street intersections as determined by Community Development Director.
4. Curb width of ½ foot is included in the sidewalk/planter strip width.
5. Street lights shall be located within the planter strip, center landscape median, or sidewalk as determined by Community Development Director.
6. Travel lane and turn lane/median widths as determined by Community Development Director. Turn lane/median may be eliminated.
7. Striping and signage as required in the PW Standards.
8. On-street parking on one or both sides is allowed.
9. Transit stop locations to be determined by Transit Director.
10. When not needed as a left-turn lane, median may be provided to serve safety, stormwater, or aesthetic objectives.
11. New streets shall incorporate low impact development design as practicable.

2.4. Freight Route

The TSP lists Parkway as a freight route that connects with Elligsen Road to access the north Wilsonville I-5 interchange and also connect to Town Center Loop West to Wilsonville Road to access the Wilsonville Road I-5 interchange.

FIGURE 3-4. FREIGHT ROUTES



The TSP provides standards related to freight routes in Chapter 3, particularly pages 3-8 and 3-9. It notes that roadway and intersection improvements should be designed for freight vehicles with adjustments for turn radii, sight distance, lane widths, turn pocket lengths, and pavement design. TSP, page 3-8.

The TSP also explains as one of its goals (Goal 3) is to provide for sufficient transportation infrastructure and services to ensure functional and reliable multimodal and freight operations as development occurs. *See* TSP Executive Summary, page ii and TSP page 2-2. Coordination between freight routes and other travel modes is necessary due to the inherent danger of other transportation modes (bicycles and pedestrians) utilizing the same travel lanes as freight traffic. *See* TSP Executive Summary, page iii and TSP page 2-8. Policy 24 of the TSP expressly states:

Policy 24. Ensure that the needs of other transportation users are considered in the design and construction of freight improvements. Improvements that reduce freight vehicle impacts to bicyclists and pedestrians (particularly along identified bikeways and walkways) will be considered, including buffered bike lanes, enhanced pedestrian crossings, and other safety improvements.

Thus, the TSP directs consideration of buffered bicycle lanes, as is required for Parkway, to protect bicyclists from freight traffic and thus increase confidence amongst bicyclists that biking to and from work on the Property will be safe. *See* TSP page 3-8.

2.5. Bicycle Facilities

The TSP includes several policy statements and implementation measures designed to create a robust, multi-modal transportation system. Policy 4 and related Implementation Measure 4.a. state:

“Policy 4. Provide a robust transportation system that provides all members of the community access to multiple travel mode choices.

Implementation Measures (Policy 4):

4.a. Provide pedestrian and bicycle connections between residential neighborhoods and major commercial, industrial, and recreational activity centers throughout the city, as shown in the Bicycle and Pedestrian Master Plan. Coordinate the system of pathways planned by adjacent jurisdictions to allow for regional travel.” TSP, 2-4.

Additional policies in the TSP further identified the need for safe bicycle facilities as part of the larger multi-modal transportation system, particularly where freight travel occurs (such as on Parkway):

“Policy 24. Ensure that the needs of other transportation users are considered in the design and construction of freight improvements. Improvements that reduce freight vehicle impacts to bicyclists and pedestrians (particularly along identified bikeways and walkways) will be considered, including buffered bike lanes, enhanced pedestrian crossings, and other safety improvements.” TSP, 2-8.

Most significantly, the TSP includes several policies and implementation measures under “Active Transportation: Pedestrians and Bicyclists.”

Active Transportation: Pedestrians and Bicyclists

Policy 37. Provide facilities that allow more people to walk and bike, not only as low-impact transportation choices, but also to benefit the health and economy of the community.

Implementation Measures (Policy 37):

- 37.a. *Encourage a balance between housing, employment, and commercial activities within the city so more people desire to live and work within Wilsonville, thereby reducing cross-jurisdictional commuting.*
- 37.b. *Increase densities and intensities of development in or near the Town Center area and in other locations where a multimodal transportation system can meet those needs.*
- 37.c. *Continue use of the Planned Development/Master Plan process to encourage developments that make it more convenient for people to use transit, walk, bicycle, and to drive less to meet daily needs.*
- 37.d. *Provide more and better options for travel between both sides of the freeway, the railroad, and the Willamette River.*
- 37.e. *Assist with efforts to improve the viability of rail for passenger service.*



Bike lockers at the SMART Central at Wilsonville Station transit center provide secure storage for transit riders who use their bikes to complete a leg of their trip.



Pedestrians enjoy a casual stroll around the Villebois Sunday Market. The market uses Villebois Drive, which functions as a street when not being used for the market.

- 37.f. *Consider reducing parking requirements where it can be shown that transit and/or bicycle pedestrian access will reduce vehicular trips.*
- 37.g. *Require new development to include sufficient and convenient bicycle parking, and encourage improvements to bicycle parking facilities throughout the community. Allow a range of bicycle parking solutions to address the specific needs of different users.*
- 37.h. *Construct stand-alone improvements to fill key gaps in the pedestrian and bicycle network, including Safe Routes to School projects and connections to transit stops, prioritizing low-cost and safety-related projects.*
- 37.i. *Improve the quality of the pedestrian environment by ensuring new public and private development meets a pedestrian quality standard that encourages walking for short trips and is fitting for the specific location.*

Policy 38. Establish a Pedestrian and Bicycle Advisory Board comprised of interested stakeholders, including residents and employers, to guide future planning and decision-making regarding pedestrian and bicycle facilities.



Bicyclists riding north on Brown Road approach the Barber Street roundabout as they enter Villebois Village.

- Policy 39. Improve and expand pedestrian and bicycle facilities throughout the community, with a focus on improved connectivity within the city and with the Regional bicycle and trails systems.
- Policy 40. Ensure that pedestrian and bicycle networks provide direct connections between major activity centers (e.g., civic, recreation, employment, and retail centers) and minimize conflicts with other modes of transportation.
- Policy 41. The planning, design, and construction of transportation projects should maintain or improve the accessibility and quality of existing and planned pedestrian and bicycle facilities.
- Policy 42. Provide more enhanced pedestrian crossings (which may include pedestrian flashers, a median refuge, or other treatments) as a way to improve safety and connectivity in Wilsonville's transportation system.
- Policy 43. Develop more transportation options within the city, increasing transportation demand management programming and improving walking, biking, and transit facilities.

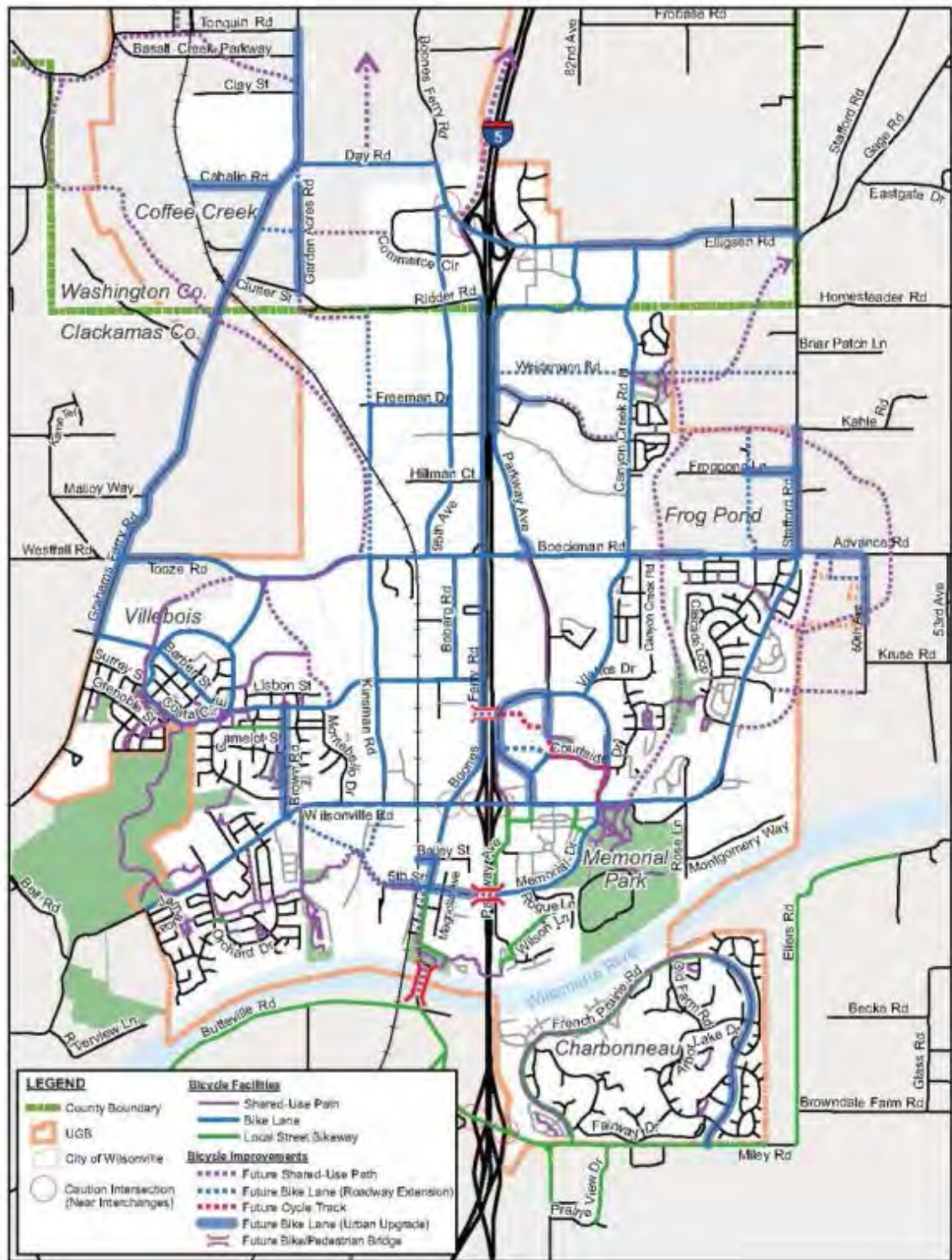
TSP, 2-10 to 2-11.

The TSP explains the need to include space for other transportation modes, such as bicycle lanes and sidewalks:

“Building roads that provide facilities for all travel modes and meet applicable cross-section standards is critical to assure a safe and well connected transportation system. If bike lanes and sidewalks are missing, the users of these facilities are likely using other portions of the roadway (motor vehicle travel lanes or shoulders) that may be unsafe.” TSP, page 4-4.

The TSP also lists Parkway (and Printer Parkway) as future bicycle facility locations, as noted in Figure 3-5 of the TSP, provided below.

FIGURE 3-5. BICYCLE ROUTES



As explained in Sections 2.2 through 2.4 above, the cross-sections for minor arterials and collectors identify a bicycle lane separate from the vehicle travel lane, and call for buffered bicycle lanes on freight routes. Figure 4-1 of the TSP (Section 2.1 above) identifies Parkway and Printer Parkway currently have deficient cross-sections and thus do not provide adequate bicycle facilities consistent with the requirements of the TSP.

The TSP establishes the following requirements for bicycle lanes:

“Bike Lanes are provided on Arterial and Collector streets throughout Wilsonville. They are usually 6-feet wide and adjacent to motor vehicle travel lanes (cross-section standards shown in Figures 3-6, 3-7, and 3-8). Buffered bike lanes and one-way or two-way cycle tracks may be used instead of bike lanes and include buffers between the bike and motor vehicle travel lanes (cross-section standards shown in Figure 3-12).” TSP, page 3-10.

Figure 3-12 (TSP, page 3-19) provides the design options for buffered bicycle lanes.

FIGURE 3-12. BICYCLE FACILITY DESIGN OPTIONS

BUFFERED BIKE LANES AND CYCLE TRACKS

Buffered bike lanes (buffer between travel lane and bike lane) and cycle tracks (parking and/or other buffer between travel lane and one- or two-way bike facility) are two alternate bicycle facility options that are gaining popularity throughout the United States and have been implemented in other parts of the Portland Metro area. Therefore, the design options shown below have been provided to allow the City flexibility to consider these bicycle treatments on their Arterial and Collector streets in place of typical bike lanes.

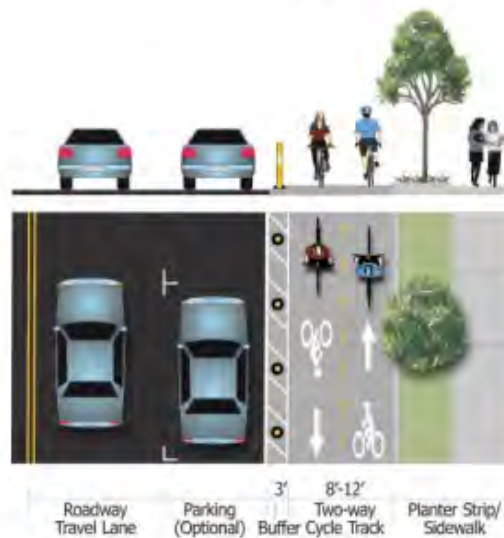


One-Way Cycle Track on Cully Boulevard in Northeast Portland. Cycle tracks are typically protected from motor vehicle traffic by parked cars, raised curbs, or other physical buffers.

BUFFERED BIKE LANE OR ONE-WAY CYCLE TRACK



TWO-WAY CYCLE TRACK



Notes:

1. Design option locations, widths, separation buffer features, and adjacent parking as approved by Community Development Director.
2. Additional design guidance can be obtained from the National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide

Based on the minor arterial and collector cross-section requirements in the TSP, bicycle lanes are needed on Parkway and Printer Parkway to provide multi-modal transportation and connectivity. These facilities are currently deficient and the needed upgrades will encourage safe, convenient access to the Proposed Development through different modes of transportation.

2.6. Sidewalks

As noted in Section 2.5 above, the TSP includes several policies and implementation measures to address needed bicycle and pedestrian facilities. The TSP identifies sidewalks as a part of the roadway cross-section required by the City. *See* TSP, page 3-12. The minor arterial and collector cross-sections identified in Sections 2.2 and 2.3 above include five-foot-wide sidewalks as part of the right-of-way cross sections.

3. PW Standards for Minor Arterials, Collectors, Freight Routes, Bicycle and Pedestrian Facilities

3.1. Section 201.1.04 General Requirements

The general requirements for City streets are found in Section 201.1.04, and state as follows:

Section 201.1.04 General Requirements:

- a. **Functional Classification:** The functional classification of existing and proposed roads is established by the City of Wilsonville's Transportation Systems Plan (TSP). Where the functional classification of a road is not defined by the TSP, the existing land use and existing operational characteristics shall be used by the City's authorized representative to determine the functional classification of the road in question.
- b. **Access:** Access to city, county, and public roads shall conform to the City of Wilsonville TSP and Section 201.2.23, "Driveways."
- c. **Width:** The width of the streets shall be in compliance with the City of Wilsonville TSP.
- d. **Number of Lanes:** The number of lanes for each class of road is defined by the City of Wilsonville TSP.
- e. **On-Street Parking:** Streets shall be provided with on-street parking strips as specified in the City of Wilsonville TSP and Section 201.2.26, "On-Street Parking."
- f. **Sidewalks and Planter Strips:** Streets shall be provided with sidewalks and planter strips as specified in the City of Wilsonville TSP and Section 201.2.25, "Sidewalks."

3.2. Section 201.2.18 Half-Streets

The particular requirement that developers are responsible to construct half-street improvements in accordance with City cross-section standards is found in Section 201.2.18, and states:

Section 201.2.18 Half-Streets:

To allow for reasonable development, half-street improvements may be approved by the Planning Commission and the Development Review Board. Whenever a half-street improvement is approved, it shall conform to the following:

- a. Street section design and construction shall be in conformance with these standards
- b. Minimum pavement width shall be 24 feet for arterial and collector streets, and 20 feet for residential and rural streets as measured from face of curb.
- c. Intersectional improvements shall be adequate to provide turn lanes.
 1. Arterials and collectors: 40 feet paved for 250 feet as measured from centerlines of intersecting streets.”

3.3. Section 201.2.25 Sidewalks

The PW Standards first note that the location of sidewalks will be based on the TSP, Bike-Ped Plan, and as required by the Planning Department. As noted above, sidewalks along the Parkway frontage of the Property are necessary under the TSP and the Bike-Ped Plan. Section 201.2.25(a). Sidewalks must comply with Title III of the Americans with Disabilities Act and must be “designed with a minimum width of 5 feet...” *Id.* at Section 201.2.25(a)(2) and (3).

Importantly, the PW Standards do not allow for any curb-tight sidewalks. They must be separated from the road through the use of a landscape strip:

“**b. Separation:** Sidewalks shall be separated from the roadway through the use of landscape strips in accordance with the City of Wilsonville TSP. Sidewalk separation from the street shall be provided in accordance with Table 2.13. 1. The combined planter strip and sidewalk width shall not be less than the minimum provided in the Require Planter Strip + Sidewalk Width column of Table 2.13.”

Table 2.13 in the PW Standards provides the following sidewalk separation standards:

Table 2.13. SIDEWALK SEPARATION FROM ROADWAY

Street Classification	Required* Planter Strip + Sidewalk Width	Minimum Sidewalk Width	Minimum** Planter Strip Width	Combine to Full Sidewalk Width with Tree Wells
Major Arterial	13.5' – 16.5'	5'	6'	Yes
Minor Arterial	13.5' – 15.5'	5'	6'	Yes
Collector	11.5' – 13.5'	5'	5'	Yes
Local	10.5' – 12'	5'	5'	No
LID Local	10.5' - 12'	5'	5'	No

* Width includes the width of the curb.

** The minimum planter width that incorporates a water quality swale is 6.5'.

Since Parkway is a minor arterial, the minimum sidewalk width is 5 feet, the minimum planter strip width is 6 feet¹ and the total minimum width, including the width of the curb, is 13.5 feet.

3.4. Section 201.2.27 Bicycle and Shared-Use Path Facilities

Similar to the sidewalk standards, the PW Standards explains that the locations of bicycle facilities shall be based on the TSP, Bike-Ped Plan, and as required by the Planning Department, and also notes that alternative bicycle facilities shall be considered into the design of arterial streets like Parkway:

“b. **Location:** The location of bicycle and shared-use path facilities shall be based on the City of Wilsonville TSP, the City’s Bicycle and Pedestrian Master Plan, and as required by the Planning Department, in accordance to subsection 4.177, ‘Street Improvement Standards,’ of the Wilsonville Code. Alternative bicycle facilities, such as buffered bike lane and cycle tracks, shall be considered for incorporation into design of Arterial streets in place of typical bike lanes. The City Engineer shall determine locations where alternative bicycle facilities will be utilized in consultation with the National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide.”

¹ The minimum width, as noted, is generally 6.5 feet because of the water quality swale that is utilized to treat the stormwater runoff from the street.

The PW Standards also provide minimum design requirements for bicycle lanes, including the requirement that bicycle lanes be six (6) feet:

“h. **Bicycle Facility Design:** The following specify the minimum design requirements for bicycle facilities.

1. Bike Lanes

(a) Bike lanes shall be one-way facilities and carry bicycle traffic in the same direction as adjacent motor vehicle traffic.

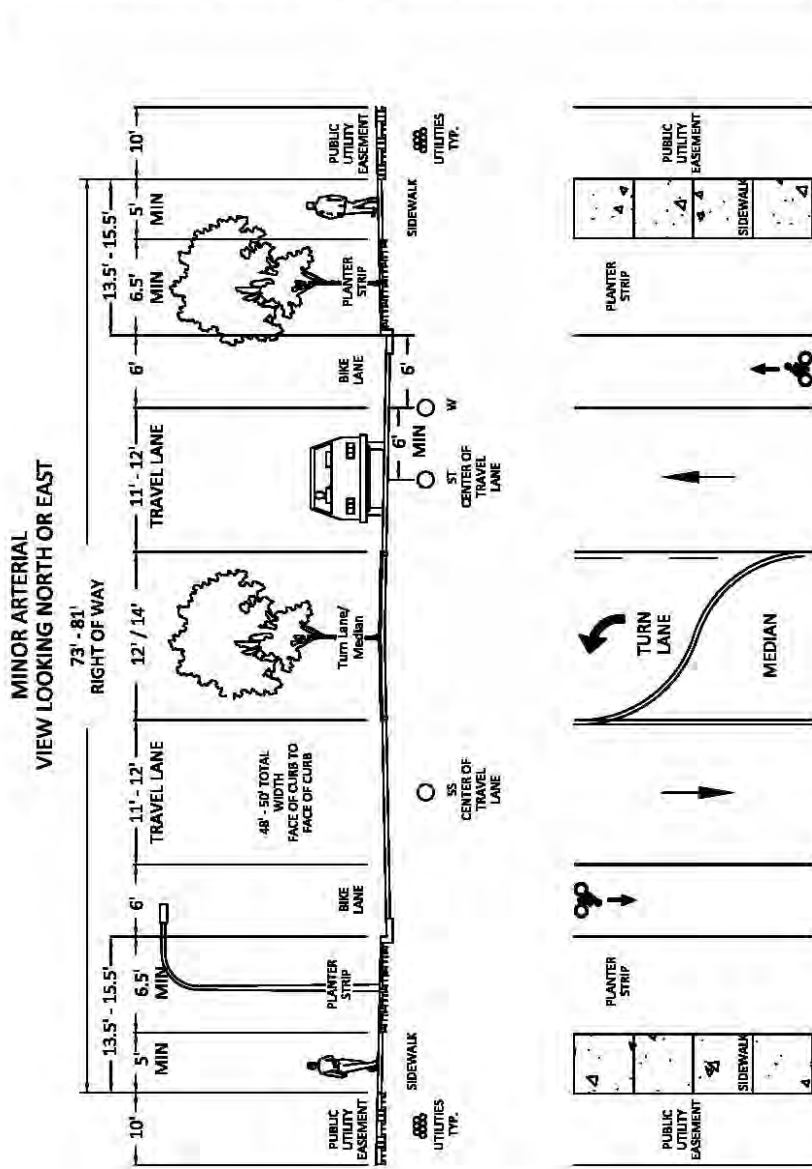
(b) Bike lanes shall be 6 feet in width. In alterations of existing streets, the City’s authorized representative may reduce the required bike lane width to 5 feet when the existing street is physically constrained or when a bike buffer line is added.

(c) A minimum clear riding zone width of 4-feet shall be maintained between the longitudinal joint of the asphalt pavement and concrete gutter. In alterations of existing streets, the City’s authorized representative may reduce the required clear riding zone width to 3 feet when the existing street is physically constrained or when a bike buffer line is added.”


3.5. Detail Drawings

The detail drawing in the PW Standards for minor arterials, like Parkway, is found in RD-1035, provided below:

This Detail Drawing may not be altered or changed in any manner except by the City Engineer. It is the responsibility of the user to acquire the most current version.



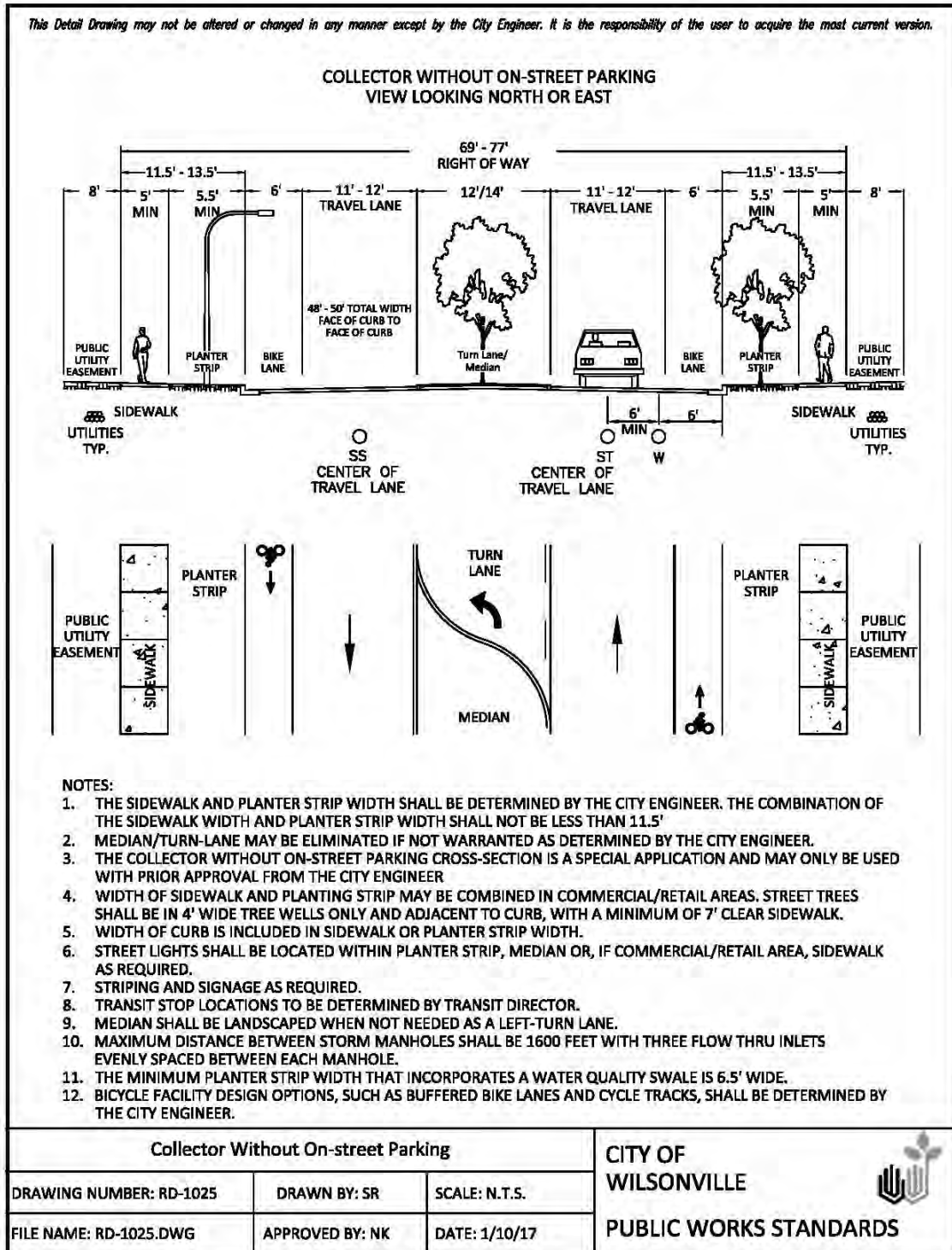
- NOTES:**
1. THE SIDEWALK AND PLANTER STRIP WIDTH SHALL BE DETERMINED BY THE CITY ENGINEER. THE COMBINATION OF THE SIDEWALK WIDTH AND PLANTER STRIP WIDTH SHALL NOT BE LESS THAN 13.5'. WIDTH OF SIDEWALK AND PLANTING STRIP MAY BE COMBINED IN COMMERCIAL/RETAIL AREAS. STREET TREES SHALL BE IN 4' WIDE TREE WELLS ONLY AND ADJACENT TO CURB, LEAVING A MINIMUM OF 9' CLEAR SIDEWALK.
 2. WIDTH OF CURB IS INCLUDED IN SIDEWALK OR PLANTER STRIP WIDTH.
 3. STREET LIGHTS SHALL BE LOCATED WITHIN PLANTER STRIP, MEDIAN, OR IF COMMERCIAL/RETAIL AREA, SIDEWALK AS REQUIRED.
 4. STRIPING AND SIGNAGE AS REQUIRED.
 5. ON-STREET PARKING IS NOT ALLOWED. TRANSIT STOP LOCATIONS TO BE DETERMINED BY TRANSIT DIRECTOR.
 6. MEDIAN SHALL BE LANDSCAPED WHEN NOT NEEDED AS A LEFT-TURN LANE.
 7. SEE SPECIAL SETBACK REQUIREMENTS FOR MINOR ARTERIAL STREET SECTIONS.
 8. MAXIMUM DISTANCE BETWEEN MANHOLES SHALL BE 1600 FEET WITH THREE FLOW THRU INLETS EVENLY SPACED BETWEEN EACH MANHOLE.
 9. ALTERNATIVE BIKE FACILITIES SHALL BE CONSIDERED FOR INCORPORATION INTO DESIGN ON MINOR ARTERIAL STREETS PARTICULARLY FREIGHT ROUTES.
 10. BICYCLE FACILITY DESIGN OPTIONS, SUCH AS BUFFERED BIKE LANES AND CYCLE TRACKS, SHALL BE DETERMINED BY THE CITY ENGINEER.

Minor Arterial			CITY OF WILSONVILLE  PUBLIC WORKS STANDARDS
DRAWING NUMBER: RD-1035	DRAWN BY: SR	SCALE: N.T.S.	
FILE NAME: RD-1035.DWG	APPROVED BY: NK	DATE: 1/10/17	

The notes under the detail drawing are relevant to establishing the requirements for the minor arterial cross-section. Notes 9 and 10 discuss the impacts to the bicycle lane requirements when the street is a designated freight route:

- 9. ALTERNATIVE BIKE FACILITIES SHALL BE CONSIDERED FOR INCORPORATION INTO DESIGN ON MINOR ARTERIAL STREETS PARTICULARLY FREIGHT ROUTES.
- 10. BICYCLE FACILITY DESIGN OPTIONS, SUCH AS BUFFERED BIKE LANES AND CYCLE TRACKS, SHALL BE DETERMINED BY THE CITY ENGINEER.

The detail drawing in the PW Standards for collectors, like Printer Parkway, that do not have on-street parking is found in RD-1025, provided below:



Att: Pag

The notes in RD-1025 are also relevant with regard to Printer Parkway. Note 2 allows for the elimination of the median/turn lane, which the City is not requiring for Printer Parkway.



PARKWAY WOODS REVISION TRANSPORTATION IMPACT ANALYSIS

JANUARY 2023

PREPARED FOR CITY OF WILSONVILLE



PREPARED BY DKS ASSOCIATES

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INTRODUCTION

This study evaluates the transportation impacts associated with the proposed Parkway Woods Flex Industrial building, that is to be located in the northwest portion of the Parkway Woods Business Park in Wilsonville, Oregon. The project will consist of approximately 91,773 square-feet of industrial manufacturing space with a tenant to-be-determined.

The purpose of this transportation impact analysis (TIA) is to identify potential mitigation measures needed to offset transportation impacts that the proposed development may have on the nearby transportation network. The impact analysis is focused on the study intersections, which were selected for evaluation in coordination with City staff. The intersections are listed on the following page and shown in Figure 1. Important characteristics of the study area and proposed project are listed in Table 1.

This TIA is a revision of a previous TIA conducted for the development.¹ As the size of the development has increased since the initial analysis, an updated TIA was required. All data from the previous TIA was reused, as it was collected within the last 12 months and is for the same land use application. Comments and recommendations from a third-party reviewer are also incorporated into this revision.²

TABLE 1: STUDY AREA AND PROPOSED PROJECT CHARACTERISTICS

STUDY AREA	
NUMBER OF STUDY INTERSECTIONS	Four
ANALYSIS PERIODS	Weekday PM peak hour (one hour between 4pm – 6pm) Weekday AM peak hour (7am – 9am) - Turn Lane Analysis Only
PROPOSED DEVELOPMENT	
SIZE AND LAND USE	91,773 square-foot industrial manufacturing building
PROJECT TRIPS	62 total PM peak hour trips (19 in, 43 out) 66 total AM peak hour trips (50 in, 16 out) - Turn Lane Analysis Only
VEHICLE ACCESS POINTS	One access point on Printer Parkway and one access point on Xerox Drive which provide access to SW Parkway Avenue.
NEARBY TRANSPORTATION FACILITIES	
PEDESTRIAN AND BICYCLE FACILITIES	Limited bicycle and pedestrian facilities exist near the proposed development site.
TRANSIT FACILITIES	SMART Transit Routes 2X and 6 service the area around the proposed development with bus stops directly within the parking area.

¹ Wilsonville Parkway Woods, Transportation Impact Analysis, DKS Associates, May/September 2022.

² Parkway Woods TIA Review, Kittelson & Associates, July 13, 2022.

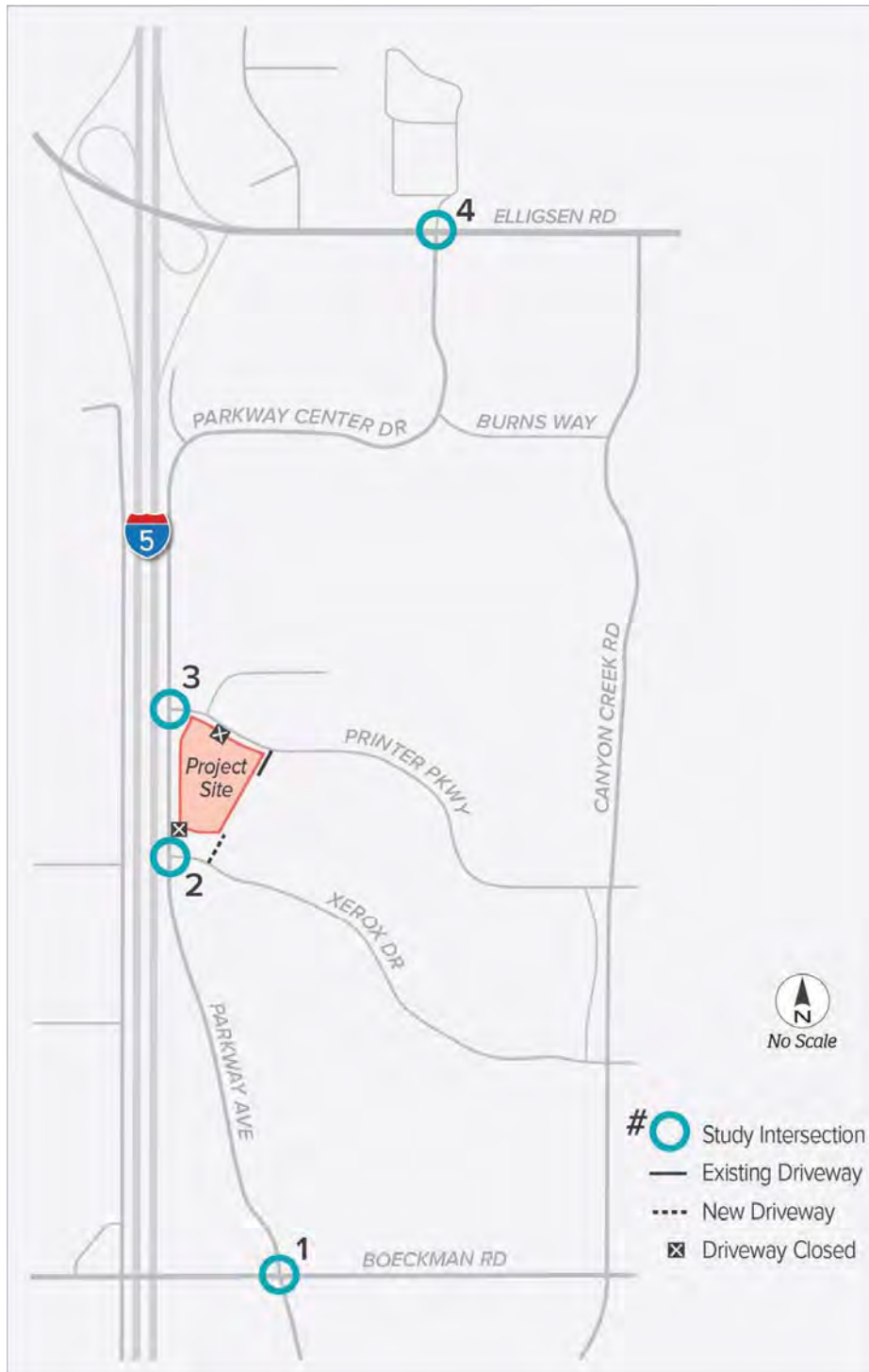


FIGURE 1: STUDY AREA MAP

Study Intersections

1. SW Parkway Avenue/Boeckman Road
2. SW Parkway Avenue/Xerox Drive
3. SW Parkway Avenue/Printer Parkway
4. Parkway Center Drive/Elligsen Road

EXISTING CONDITIONS

This chapter provides documentation of existing study area conditions, including the study area roadway network, pedestrian and bicycle facilities, and existing traffic volumes and operations.

STUDY AREA ROADWAY NETWORK

Key roadways in the study area are summarized in Table 2 along with their existing roadway characteristics. The functional classifications for City of Wilsonville streets are provided in the City of Wilsonville Transportation System Plan (TSP).³

TABLE 2: STUDY AREA ROADWAY CHARACTERISTICS

ROADWAY	FUNCTIONAL CLASSIFICATION	OWNER	LANES	POSTED SPEED	SIDEWALKS	BIKE FACILITIES	ON-STREET PARKING
SW PARKWAY AVENUE	Minor Arterial	City	2	45 mph	Partial ^a	Partial ^b	No
PARKWAY CENTER DRIVE	Major Arterial/ Minor Arterial ^c	City	2-5	35 mph	Partial ^d	Yes	No
PRINTER PARKWAY	Collector	Private	2	20 mph	No	No	No
XEROX DRIVE	Local	Private	2	20 mph	No	No	No
ELLIGSEN ROAD	Major Arterial/ Minor Arterial ^e	City	2-5	35 mph	Partial ^f	Partial ^g	No
BOECKMAN ROAD	Major Arterial/ Minor Arterial ^h	City	2/3	40 mph	Partial ⁱ	Partial ^j	No

^a Sidewalks exist on both sides of SW Parkway Avenue from Boeckman Road to approximately 150 feet south of Xerox Drive, then continue on the east side of SW Parkway Avenue for another 1400 feet.

^b Bicycle lanes exist for about 2000 feet on both sides of SW Parkway Avenue between Boeckman Road and Xerox Drive.

^c Parkway Center Drive is a Major Arterial north of Burns Way and a Minor Arterial west of Burns Way.

^d Sidewalks are missing on the south side of Parkway Center Drive west of Burns Way.

^e Elligsen Road is Major Arterial west of Parkway Center Drive and a Minor Arterial east of Parkway Center Drive.

^f Sidewalks are generally not present on the north side of Elligsen Road east of Parkway Center Drive.

^g Bicycle lanes are generally not present on Elligsen Road east of Parkway Center Drive.

^h Boeckman Road is Major Arterial west of SW Parkway Avenue and a Minor Arterial east of SW Parkway Avenue.

ⁱ Sidewalks are present on the north side of Boeckman Road east of SW Parkway Avenue.

^j Bicycle lanes are present on Boeckman Road east of SW Parkway Avenue.

³ Chapter 3: The Standards, Wilsonville Transportation System Plan, Amended November 2020.

BICYCLE AND PEDESTRIAN FACILITIES

There are few bicycle and pedestrian facilities within the study area, as described above. Of the primary roadways, neither Printer Parkway nor Xerox Drive have any pedestrian or bicycle facilities. SW Parkway Avenue, in addition, has partial sidewalks and bicycle lanes. A meandering path along the east side of SW Parkway Avenue extends approximately 1,400 ft.

PUBLIC TRANSIT SERVICE

South Metro Area Regional Transit (SMART) provides public transportation services within Wilsonville and outlying areas, including Canby, Salem, and south Portland. There are two SMART routes that service the study area. Route 2X (Tualatin Park & Ride) provides service between the Wilsonville Transit Center and Tualatin Park & Ride with approximately 30-minute headways between the hours of 6am – 8pm. Route 6 (Canyon Creek) provides service between the Wilsonville Transit Center and Canyon Creek Road with approximately 30-minute headways between the hours of 7am – 10am and 3pm – 7pm. Each route includes a transit stop at the west entrance of the existing Parkway Woods Business buildings.

PLANNED PROJECTS

The City of Wilsonville Transportation System Plan (TSP) has a list of Higher Priority projects which includes the recommended projects reasonably expected to be funded through 2035. These are the highest priority solutions to meet the City’s most important needs. The list includes the following projects that impact the key roadways near the proposed project site.⁴

- UU-05 (SW Parkway Avenue Urban Upgrade) – Upgrade to meet applicable cross-section standards (i.e., 3 lanes with bike lanes, sidewalks, and transit stop improvements).
- UU-09 (Printer Parkway Urban Upgrade) – Upgrade Printer Parkway to a three-lane collector with bicycle lanes and multiuse path.
- RT-05 (Wiedemann Road Trail) – Construct east-west trail in north Wilsonville near the Xerox campus with City responsible for portion through developed land and future developer responsible for portion on future development site.
- RW-01 (Boeckman Road Bridge and Corridor Improvements) – Widen Boeckman Road from Boberg Road to 500 feet east of SW Parkway Avenue to include additional travel lanes in both directions along with bike lanes and sidewalks; project includes reconstruction of the bridge over I-5 and improvements at Boeckman Road/Boberg Road and Boeckman Road/SW Parkway Avenue intersections and adjacent transit stops.

⁴ Figure 5-2, Chapter 5, Wilsonville Transportation System Plan, Amended November 16, 2020.

EXISTING TRAFFIC VOLUMES

New intersection turning movement count data was collected during two consecutive weekday PM peak periods (4:00pm – 6:00pm) at the study intersections.⁵ AM peak period (7:00am – 9:00am) turning movement count data was also collected for left turn lane evaluations as described in a later chapter.

Figure 2 shows the Existing PM peak hour traffic volumes for the study intersections, along with the lane configurations and traffic control.

INTERSECTION PERFORMANCE MEASURES

Agency mobility standards often require intersections to meet level of service (LOS) or volume-to-capacity (V/C) intersection operation thresholds. Additional details about LOS and delay are provided in Appendix B.

- The intersection LOS is similar to a “report card” rating based upon average vehicle delay. Level of service A, B, and C indicate conditions where traffic moves without significant delays over periods of peak hour travel demand. Level of service D and E are progressively worse operating conditions. Level of service F represents conditions where average vehicle delay has become excessive, and demand has exceeded capacity. This condition is typically evident in long queues and delays.
- The volume-to-capacity (v/c) ratio represents the level of saturation of the intersection or individual movement. It is determined by dividing the peak hour traffic volume by the maximum hourly capacity of an intersection or turn movement. When the V/C ratio approaches 0.95, operations become unstable and small disruptions can cause the traffic flow to break down, resulting in the formation of excessive queues.

The City of Wilsonville requires study intersections on public streets to meet its minimum acceptable level of service (LOS) standard, which is LOS D for the overall intersection for the PM peak period.

⁵ Traffic data collected by All Traffic Data Services on Tuesday, March 29th and Wednesday, March 30th.

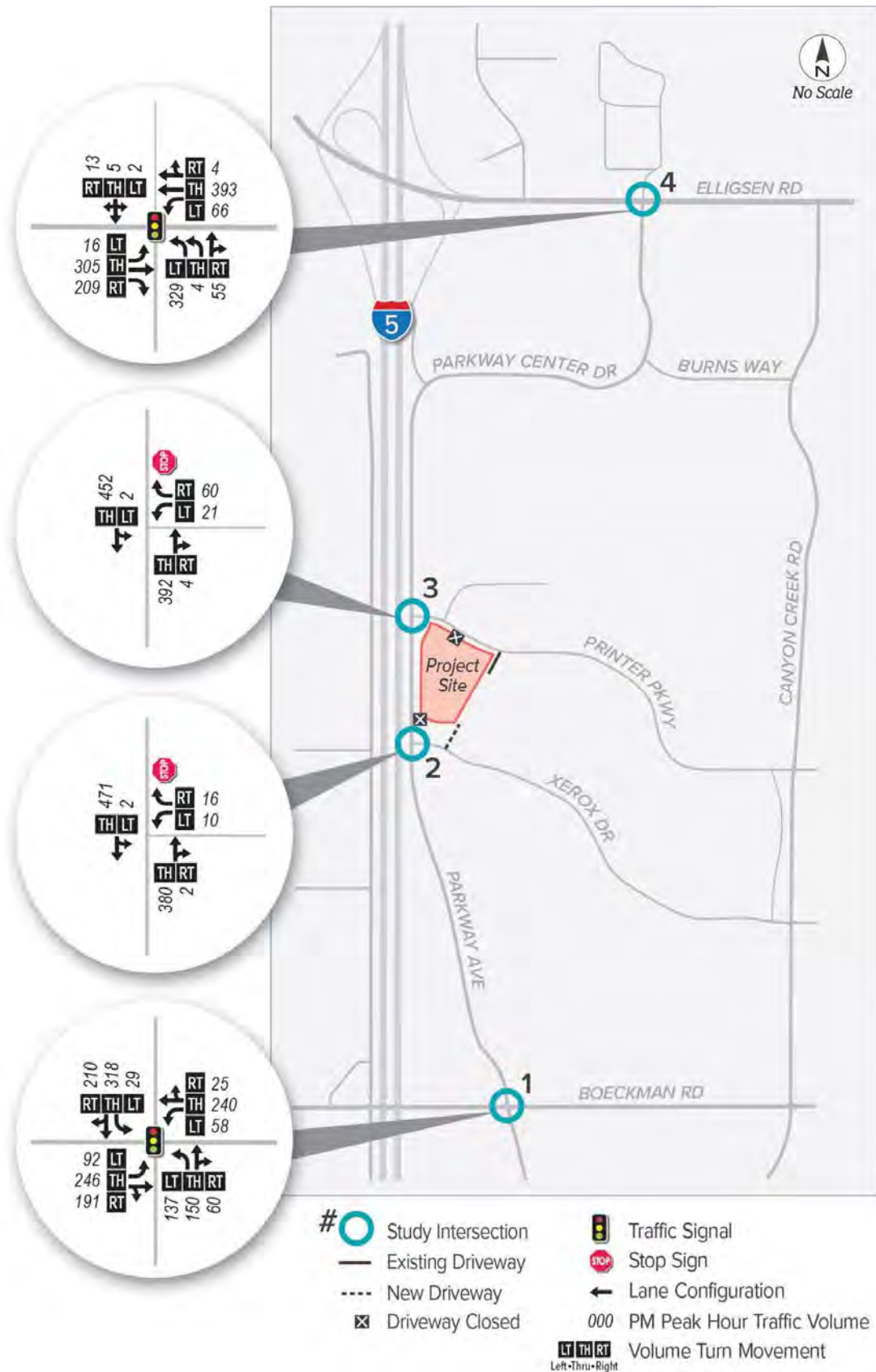


FIGURE 2: EXISTING PM PEAK HOUR TRAFFIC VOLUMES

EXISTING INTERSECTION OPERATIONS

An analysis of the existing intersection operations was performed at the study intersections to determine the current operating conditions of the study area. Intersection operations were analyzed for the PM peak hour using Highway Capacity Manual (HCM) 6th Edition methodology.⁶ The volume to capacity (v/c) ratio, delay, and level of service (LOS) of each study intersection are listed in Table 3.

TABLE 3: EXISTING INTERSECTION OPERATIONS

INTERSECTION	OPERATING STANDARD	PM PEAK HOUR		
		V/C	DELAY	LOS
UNSIGNALIZED				
PRINTER PARKWAY/SW PARKWAY AVENUE	LOS D	0.07	17.7	A/C
XEROX DRIVE/SW PARKWAY AVENUE	LOS D	0.04	17.2	A/C
SIGNALIZED				
ELLIGSEN ROAD/PARKWAY CENTER DRIVE	LOS D	0.38	17.6	B
BOECKMAN ROAD/SW PARKWAY AVENUE	LOS D	0.79	22.6	C

TWO-WAY STOP-CONTROLLED INTERSECTION:

Delay = Critical Movement Delay (secs)
v/c = Critical Movement Volume-to-Capacity Ratio
LOS = Critical Levels of Service (Major/Minor Road)

SIGNALIZED INTERSECTION:

Delay = Average Intersection Delay (secs)
v/c = Total Volume-to-Capacity Ratio
LOS = Total Level of Service

As shown, all study intersections meet the operating standard (LOS D) for the existing conditions.

⁶ Highway Capacity Manual, 6th Edition, Transportation Research Board, 2017.

PROJECT IMPACTS

This chapter reviews the impacts that the proposed development may have on the study area transportation system. This analysis includes site plan evaluation, trip generation, trip distribution, and future year traffic volumes and operating conditions for the study intersections.

PROPOSED DEVELOPMENT

The proposed development consists of a 91,733 square-foot industrial manufacturing building which will be part of the greater Parkway Woods Business Park. No tenant has yet been determined and the area of land is currently vacant. The development will have access to the greater transportation system via an internal drive aisle that connects to Printer Parkway and Xerox Drive. An existing driveway directly on SW Parkway Avenue will be closed, as well as another existing driveway on Printer Parkway.

FUTURE ANALYSIS SCENARIOS

Operating conditions were analyzed at the study intersections for the following traffic scenarios. The comparison of the following scenarios enables the assessment of project impacts:

- Existing + Stage II
- Existing + Project
- Existing + Stage II + Project

All future analysis scenarios assume the same traffic control as existing conditions. Stage II represents traffic from other developments that have Stage II approval or are under construction in Wilsonville.

Additionally, an existing portion of the main Xerox building on the Parkway Woods Business Park property is currently unoccupied as it is under reconstruction, but it is expected to be occupied in the near future by Twist Bioscience. Additional vehicle trips are estimated for this development and included in the Stage II trips.

TRIP GENERATION

Trip generation is the method used to estimate the number of vehicles added to site driveways and the adjacent roadway network by a development during a specified period (i.e., the PM peak hour). The Institute of Transportation Engineers (ITE) publishes trip generation rates for the various land uses that can be applied to determine estimated traffic volumes.⁷ ITE Land Use Manufacturing (140) was used for this analysis and the total trip generation is shown in Table 4.

⁷ Trip Generation Manual, 11th Edition, Institute of Transportation Engineers, 2021.

As shown, the proposed development is expected to generate a total of 66 AM peak hour trips (50 in, 16 out), 62 PM peak hour trips (19 in, 43 out), and 548 daily trips.

TABLE 4: VEHICLE TRIP GENERATION

LAND USE (ITE CODE)	SIZE	AM PEAK TRIPS			PM PEAK TRIPS			DAILY TRIPS
		IN	OUT	TOTAL	IN	OUT	TOTAL	
MANUFACTURING (140)	91.8 KSF ^A	50	16	66	19	43	62	548

^A KSF = 1,000 square feet

VEHICLE TRIP DISTRIBUTION

Vehicle trip distribution provides an estimation of where vehicles would be coming from and going to. It is given as a percentage at key gateways to the study area and is used to route project trips through the study intersections. Figure 3 shows the trip distribution for the proposed site. The trip distribution was based on the Wilsonville Travel Demand Model⁸ and outside review.⁹ It is estimated that 80% of the development’s trips will utilize SW Parkway Avenue and 20% of the trips will utilize Canyon Creek Road to get to and from the site. As no intersection analysis was conducted for intersections along Canyon Creek Road, trips utilizing this routing are not shown on Figure 3.

PROJECT TRIPS THROUGH CITY OF WILSONVILLE INTERCHANGE AREAS

The project trips through the two City of Wilsonville I-5 interchange areas were estimated based on the trip generation and distribution assumptions as discussed prior. Approximately 10% of the project trips are expected to travel through the I-5/Wilsonville Road interchange area and approximately 40% are expected to travel through the I-5/Elligsen Road interchange area; that is, the proposed development is expected to generate 6 new PM peak hour trips through the I-5/Wilsonville Road interchange area and 25 new PM peak hour trips through the I-5/Elligsen Road interchange area.

⁸ Select Zone Analysis, Zone 4039, 2035 Wilsonville Travel Demand Model.

⁹ Parkway Woods TIA Review, Kittelson & Associates, July 13, 2022.

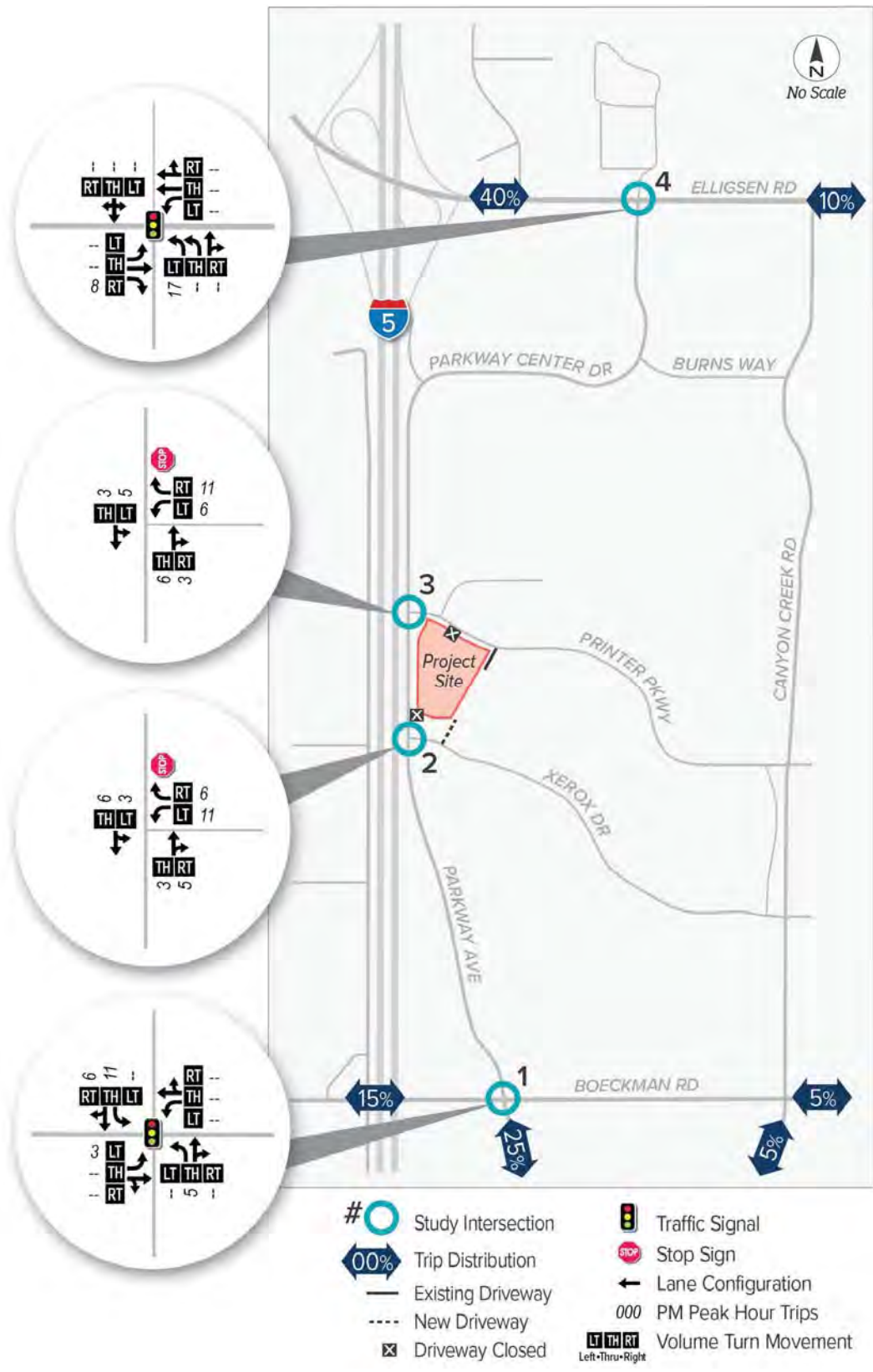


FIGURE 3: TRIP DISTRIBUTION AND PROJECT TRIPS

STAGE II TRIPS

Stage II development trips are estimated based on the list of currently approved Stage II developments provided by City staff.¹⁰ The developments on this list only provide trip information for the PM peak hour, not the AM peak hour.

In addition to the official list of Stage II developments, future trips from a new tenant within the Parkway Woods Business Park, Twist Bioscience, were included for both the AM and PM peak hours.

Twist Bioscience will soon occupy about 100,000 square-feet of a currently vacant area of the Xerox main building for office and laboratory space. Using the Research and Development Center (760) Institute of Transportation Engineers (ITE) trip generation rate, the new tenant is expected to generate a total 114 AM peak hour trips (93 in, 21 out) and 109 PM peak hour trips (17 in, 92 out) which were distributed using the same distribution as the Parkway Woods Flex Industrial trip distribution above.

FUTURE TRAFFIC VOLUMES

Traffic volumes were estimated at the study intersections for the three future analysis scenarios previously listed using the various combinations of three types of traffic: Existing, Project, and Stage II. Figure 4 shows the future PM peak hour traffic volumes for those three scenarios.

¹⁰ Email from Daniel Pauly, City of Wilsonville, April 15, 2022.

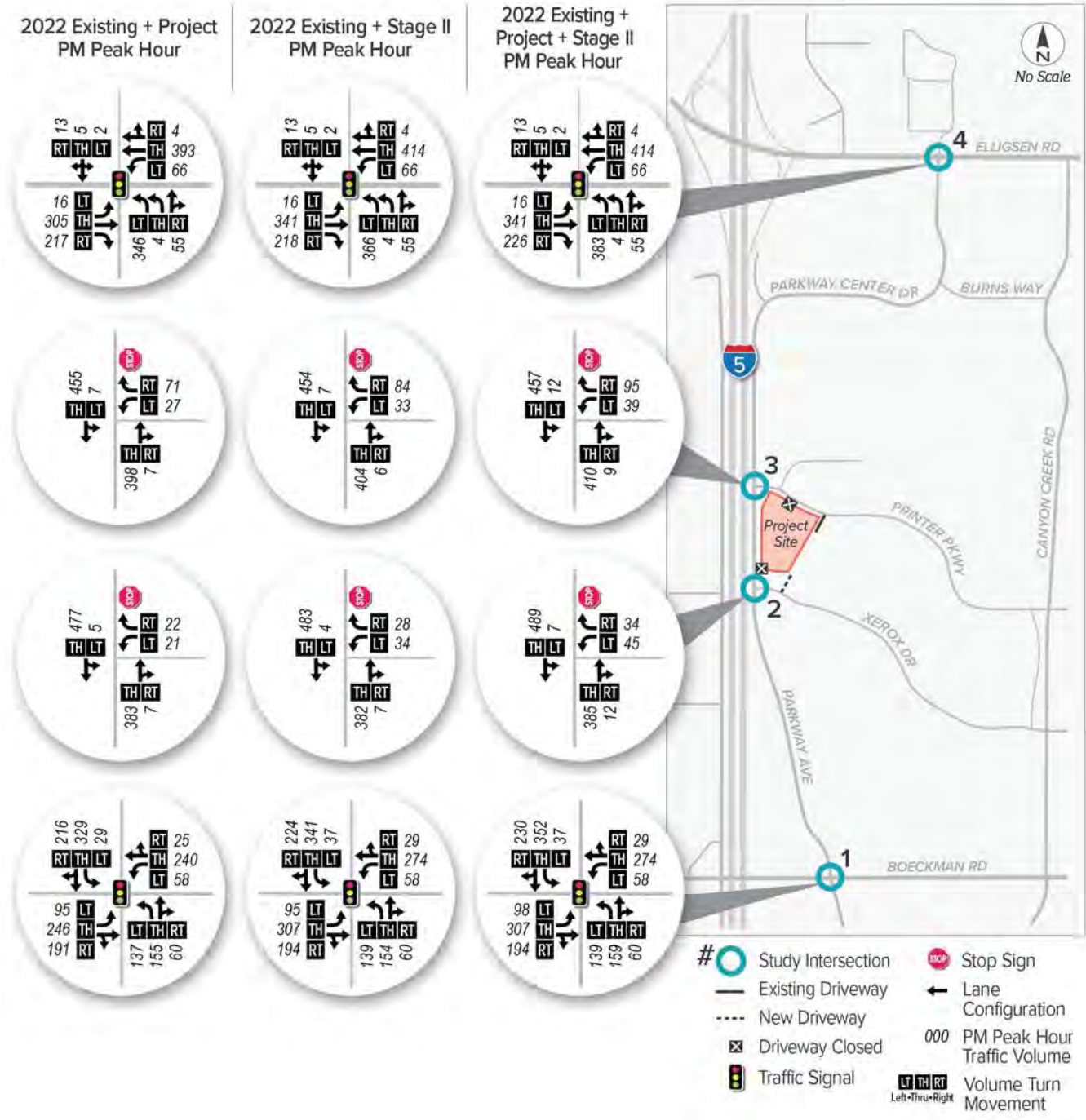


FIGURE 4: FUTURE PM PEAK HOUR TRAFFIC VOLUMES

FUTURE INTERSECTION OPERATIONS

Intersection operations were analyzed for the PM peak hour at all study intersections for the future scenarios using Highway Capacity Manual (HCM) 6th Edition methodology.¹¹ The volume to capacity (v/c) ratio, delay, and level of service (LOS) of each study intersection are listed in Table 5.

TABLE 5: FUTURE INTERSECTION OPERATIONS

INTERSECTION	OPERATING STANDARD	EXISTING + PROJECT PM			EXISTING + STAGE II PM			EXISTING + STAGE II + PROJECT PM		
		V/C	DELAY	LOS	V/C	DELAY	LOS	V/C	DELAY	LOS
UNSIGNALIZED										
PRINTER PARKWAY/ SW PARKWAY AVENUE	LOS D	0.10	18.6	A/C	0.12	19.0	A/C	0.15	20.0	A/C
XEROX DRIVE/ SW PARKWAY AVENUE	LOS D	0.08	18.1	A/C	0.12	18.8	A/C	0.17	20.0	A/C
SIGNALIZED										
ELLIGSEN ROAD/ PARKWAY CENTER DRIVE	LOS D	0.39	18.0	B	0.42	18.2	B	0.43	18.6	B
BOECKMAN ROAD/ SW PARKWAY AVENUE	LOS D	0.80	23.3	C	0.87	28.6	C	0.88	29.8	C

TWO-WAY STOP-CONTROLLED INTERSECTION:

Delay = Critical Movement Delay (secs)
v/c = Critical Movement Volume-to-Capacity Ratio
LOS = Critical Levels of Service (Major/Minor Road)

SIGNALIZED INTERSECTION:

Delay = Average Intersection Delay (secs)
v/c = Total Volume-to-Capacity Ratio
LOS = Total Level of Service

As shown, the study intersections are expected to meet the City's operating standard under all future analysis scenarios.

¹¹ Highway Capacity Manual, 6th Edition, Transportation Research Board, 2017.

LEFT-TURN LANE CRITERIA

The need for southbound left-turn lanes at the Printer Parkway/SW Parkway Avenue and Xerox Drive/SW Parkway Avenue intersections were evaluated as part of this impact analysis. The prerequisites for these left-turn lanes on major road approaches at unsignalized intersections is based on guidance provided in the ODOT Analysis Procedures Manual (APM)¹² and the ODOT Highway Design Manual (HDM).¹³ The guidance provides three criteria to consider for the installation of dedicated left-turn lanes: Volume, Crash, and Special Case. If one or more of these criteria are met, a left-turn lane should be considered for installation. In this particular situation, turn lanes are needed to address safety concerns of high speed (45 MPH) southbound traffic on SW Parkway Avenue conflicting with left turning vehicles at the intersections of Printer Parkway and Xerox Drive.

As shown in Table 6 below, both intersections meet the volume criteria for southbound left-turn lanes based on the estimated Existing + Project volumes. Based on the results, left turn lanes are recommended at both locations to safely accommodate left turning traffic from SW Parkway Avenue during the AM peak hour. The PM peak hour volumes at either intersection do not meet the volume threshold based on the estimated Existing PM + Project volumes as there are less than 10 left-turning vehicles. There are only a few crashes at both locations and no unique traffic cases, so neither of those criteria are met either.

TABLE 6: LEFT-TURN LANE CRITERIA (EXISTING + PROJECT VOLUMES)

CRITERIA	HIGH-LEVEL EXPLANATION	CRITERION MET?			
		PRINTER PARKWAY/ SW PARKWAY AVENUE		XEROX DRIVE/ SW PARKWAY AVENUE	
		AM PEAK HOUR	PM PEAK HOUR	AM PEAK HOUR	PM PEAK HOUR
VOLUME	Sliding scale based speed and volume of approaching and opposing vehicles; minimum of 10 left turns	YES	No	YES	No
CRASH	History of crashes susceptible to correction by a left-turn lane or right-turn lane	No	No	No	No
SPECIAL CASE	Unique traffic cases like the presence of railroad crossings, geometric constraints, or non-traversable medians	No	No	No	No

¹² Left Turn Lane Criteria, Chapter 12, Analysis Procedures Manual, Oregon Department of Transportation, June 2022.

¹³ Left Turn Lanes, Part 506, Highway Design Manual, Oregon Department of Transportation, January 2023.

LEFT TURN LANE CONCEPTS

Left-turn storage lengths of 75 feet are recommended at each intersection based on estimated queue lengths derived from the ODOT Two-Way Stop Controlled Intersection Calculator.¹⁴ While the calculator estimates queue lengths of 32 feet at the Printer Parkway intersection and 27 feet at the Xerox Drive intersection, a greater distance is needed for a standard left turn pocket. Additional street widening will need to be dedicated for turn lane deceleration, tapers, and transition requirements. Figure 5 provides a conceptual level overview of what the left-turn needs.

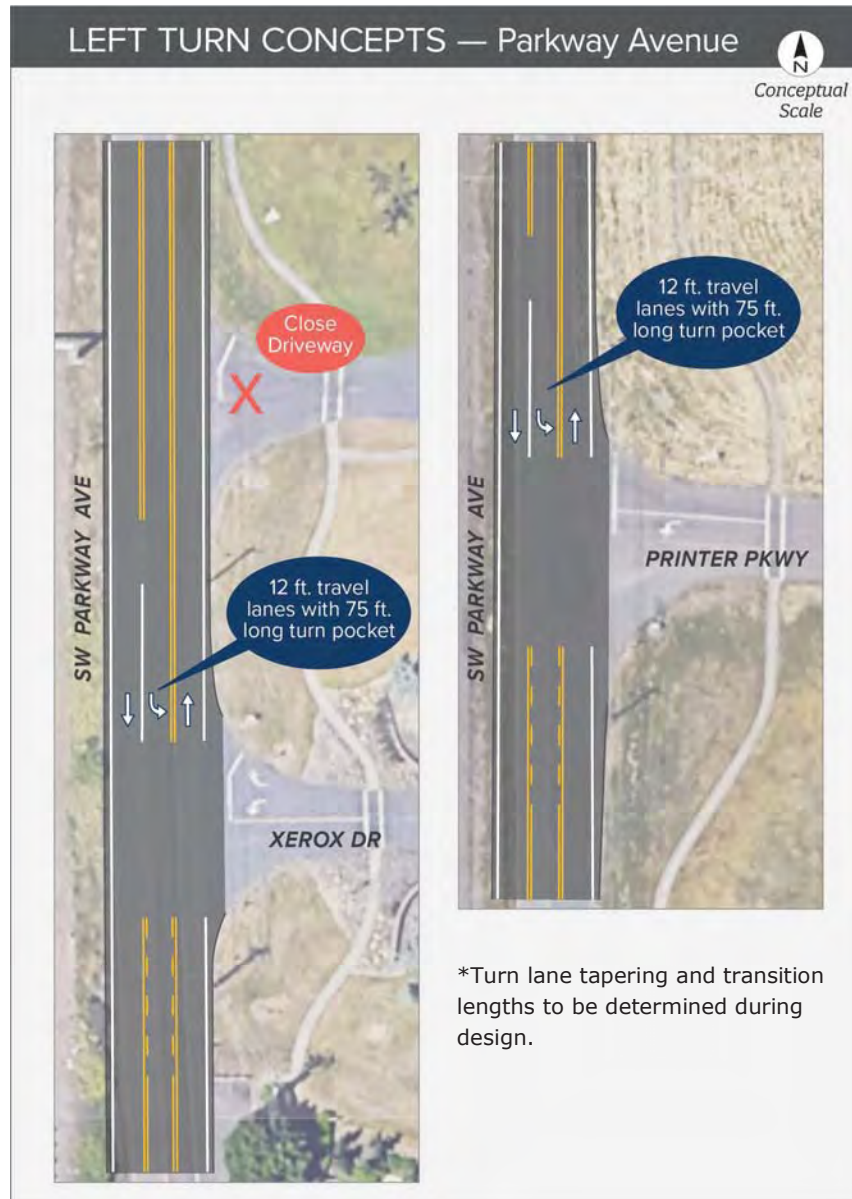


FIGURE 5: LEFT-TURN LANE CONCEPTUAL OVERVIEW

¹⁴ Unsignalized Intersection Tools, Planning & Technical Guidance, Oregon Department of Transportation, <https://www.oregon.gov/odot/Planning/Pages/Technical-Tools.aspx>.

SITE REVIEW

The following sections discuss the site access spacing and sight distance, pedestrian and bicycle facilities, parking, on-site circulation, and frontage improvements for the proposed development. The site plan is provided in the appendix.¹⁵

SITE ACCESSES

The new industrial development includes alterations to the current site accesses for the existing Parkway Woods buildings. Of greatest significance, the driveway access directly on SW Parkway Avenue between Printer Parkway and Xerox Drive will be closed. A new access point to the development is proposed as a replacement on Xerox Drive located approximately 225 feet east of the SW Parkway Avenue/Xerox Drive intersection. In addition, the western-most driveway on Printer Parkway located approximately 400 feet east from the SW Parkway Avenue/Xerox Drive intersection will also be closed (however, another driveway is present 250 feet to the east). Therefore, the new development will have access via both Printer Parkway and Xerox Drive.

All proposed access points are required to meet the City's Public Works Construction Standards for Access Spacing on city streets.¹⁶ SW Parkway Avenue, as a minor arterial, shall have a minimum access spacing of 600 feet with a desired spacing of 1,000 feet. The total distance between the two existing Printer Parkway and Xerox Drive intersections is 900 feet, meeting the City's minimum standard.

SIGHT DISTANCE

Adequate sight distance should be provided at all intersections and driveways. Objects (e.g., buildings, fences, walls, or vegetation) located near the intersections may inhibit sight distance for drivers attempting to turn out of a minor street onto the major street. With a speed limit of 45 miles per hour on SW Parkway Avenue, the sight distance requirement for the two Printer Parkway and Xerox Drive intersections is 500 feet for vehicles turning left from the minor roadway and 430 feet for vehicles turning right from the minor roadway.¹⁷

Prior to occupancy, sight distance at any existing or proposed driveways will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon to assure that buildings, signs, or landscaping does not restrict sight distance.

PARKING

The proposed project is required to comply with the Wilsonville Code for the number of vehicular parking and bicycle parking spaces that are provided on site.¹⁸ Table 7 lists the vehicular and bicycle parking requirements for the project site. The parking requirements are based on the building use and size.

¹⁵ Partition/Shadow Plan Exhibit, Parkway Woods Preliminary Improvement Plans, Atwell Group, Plot Date 10/15/2021.

¹⁶ Section 2, Table 2.12, Public Works Construction Standards, City of Wilsonville, Revised September 2017.

¹⁷ Chapter 9, Tables 9-7 & 9-9, A Policy on Geometric Design of Highways and Streets, AASHTO, 7th Edition, 2018.

¹⁸ Section 4.155, Table 5, Wilsonville Development Code, Updated March 2022.

TABLE 7: VEHICLE AND BICYCLE PARKING REQUIREMENTS

LAND USE	SIZE (KSF)	MINIMUM RATE	MAXIMUM RATE	SPACES REQUIRED		
				VEHICLE MINIMUM	VEHICLE MAXIMUM	BICYCLE MINIMUM
MANUFACTURING	91.8	1.6 stalls/KSF	No Limit	147	No Limit	10
PROPOSED NUMBER OF STALLS				>147		Not Shown

As shown above, 147 vehicular parking spaces and 10 bicycle parking spaces are needed to meet the minimum Code requirements for the project. There are more than the minimum number of vehicular parking spaces, but no bicycle parking spaces are shown. The Code also dictates that one ADA-accessible parking space is to be constructed for every 50 standard parking spaces. There are 7 of these spaces shown on the site plan, which meets this requirement. It is recommended that both bicycle parking be added to the site plan and that the Long-Term Bicycle Parking be considered on the final site plan as indicated in the City’s *Bicycle Parking* Code requirements.

PEDESTRIAN AND BICYCLE FACILITIES

The City provides standards for pedestrian facilities within developments to provide safe and convenient accessibility for all pedestrians.¹⁹ The site plan does not currently show any pedestrian facilities, so it is recommended that adequate sidewalks and crosswalks be provided in accordance with the City’s Development Code and that they connect with the existing facilities of the nearby buildings. No pedestrian or bicycle facilities exist on Printer Parkway or Xerox Drive, as well. It is recommended that adequate pedestrian and bicycle facilities be constructed along these roads along the project site frontage.

VEHICULAR ON-SITE CIRCULATION

The City desires for all modes of transportation to have practical parking and circulation that is safe and convenient.²⁰ The site plan includes a primary drive aisle (from the pre-existing development) with two internal access points off this drive aisle to the main parking area of the new development. The site plan appears to allow for adequate circulation for vehicles, bicycles, and transit that provides access and limits conflict points.

FRONTAGE IMPROVEMENTS

The developer shall coordinate with the City of Wilsonville regarding the required frontage improvements on SW Parkway Avenue. The Minor Arterial street cross-section standard for SW Parkway Avenue is shown in Figure 3-7 in the City TSP and in the figure on the following page.²¹

¹⁹ Section 4.154, Wilsonville Development Code, Updated March 2022.

²⁰ Section 4.421, Wilsonville Development Code, Updated March 2022.

²¹ Chapter 3: The Standards, Wilsonville Transportation System Plan, Amended November 2020.

Based on the standards, SW Parkway Avenue (minor arterial) is to have sidewalks, planter strips, and bike lanes along the project frontage. Minor arterials are also to have a median/center turn lane. As SW Parkway Avenue is also a Freight Route, separation between bicycles and vehicles is recommended.

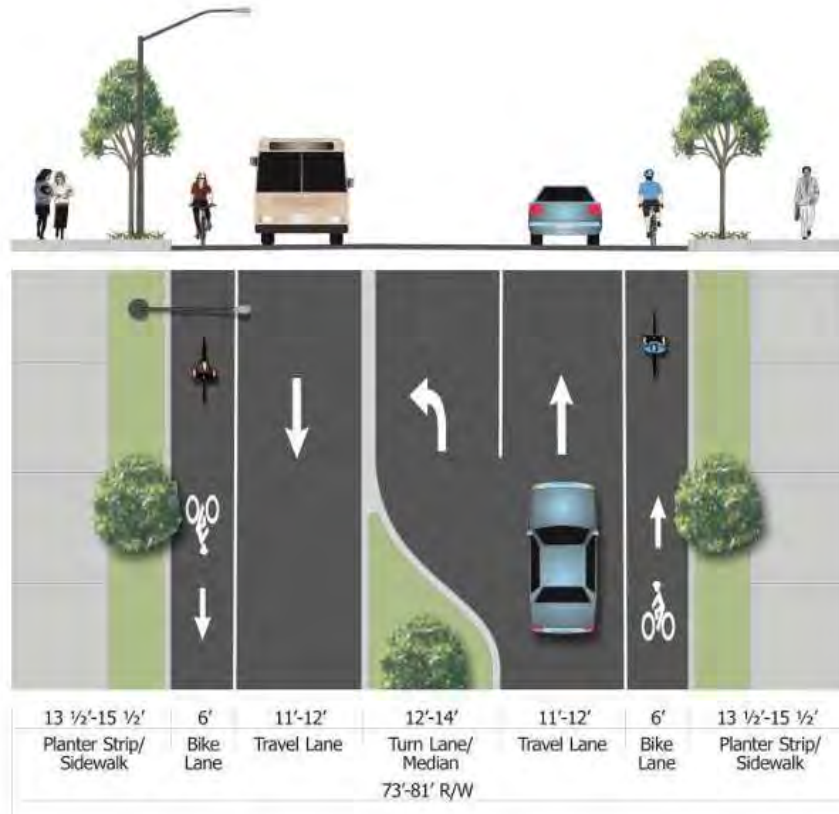


FIGURE 6: MINOR ARTERIAL CROSS SECTION STANDARD

SUMMARY OF PROJECT IMPACTS

The key findings of the transportation impact analysis for the Parkway Woods Flex Industrial development are discussed below.

- The project will consist of a 91,773 square-foot industrial manufacturing building which will be part of the greater Parkway Woods Business Park. No tenant has yet been determined and the area of land is currently vacant.
- The development will have access to the greater Wilsonville transportation system via an internal drive aisle that connects to both Printer Parkway and Xerox Drive. An existing driveway directly onto SW Parkway Avenue will be closed.
- The proposed development is expected to generate 62 PM peak hour trips (19 in, 43 out).
- Of those project trips, 6 new trips are expected to travel through the I-5/Wilsonville Road interchange area and 25 new trips are expected to travel through the I-5/Elligsen Road interchange area.
- The traffic operations at the four study intersections are expected to operate within the City's LOS D standard under project build conditions.
- Southbound left-turn lanes on SW Parkway Avenue at Printer Parkway and Xerox Drive meet the left-turn lane criteria established by ODOT and are recommended. These left turn lanes are needed to address safety concerns of high speed (45 MPH) southbound traffic on SW Parkway Avenue conflicting with left turning vehicles at the private street intersections.
- Prior to occupancy, sight distance at the proposed project access points will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon.
- The proposed vehicle parking spaces shown on the site plan are sufficient to meet the City's parking requirements.
- It is recommended that the pedestrian and bicycle facilities (including the necessary bicycle parking) be shown on the site plan. Pedestrian and bicycle facilities are also recommended that connect the site to SW Parkway Avenue.
- The developer will need to coordinate with the City regarding the frontage improvements on SW Parkway Avenue.

APPENDIX

CONTENTS

- A. TRAFFIC COUNT DATA
- B. LOS DESCRIPTION
- C. HCM REPORT – EXISTING CONDITIONS
- D. STAGE II LIST
- E. TWIST BIOSCIENCE IN-PROCESS TRIPS
- F. HCM REPORT – EXISTING + PROJECT
- G. HCM REPORT – EXISTING + STAGE II
- H. HCM REPORT – EXISTING + STAGE II + PROJECT
- I. TURN LANE ANALYSIS – VOLUMES
- J. TURN LANE ANALYSIS – CRASH DATA
- K. TURN LANE ANALYSIS – QUEUE ESTIMATION WORKSHEET
- L. SITE PLAN



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APPENDIX A

TRAFFIC COUNT DATA



(303) 216-2439
www.alltrafficdata.net

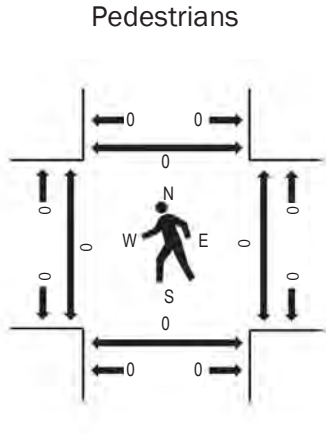
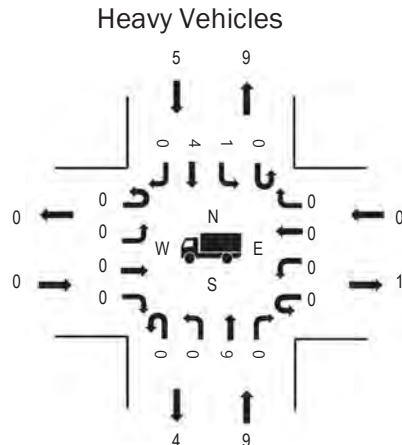
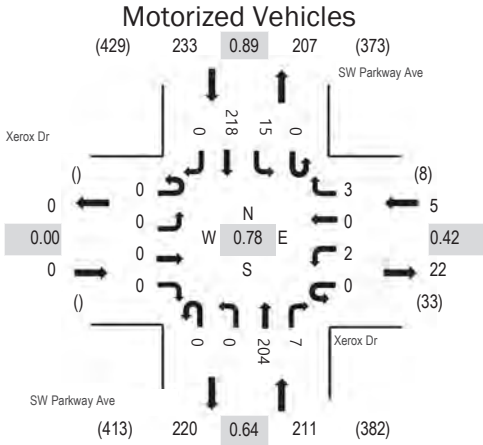
Location: 2 SW Parkway Ave & Xerox Dr AM

Date: Wednesday, March 30, 2022

Peak Hour: 07:45 AM - 08:45 AM

Peak 15-Minutes: 08:30 AM - 08:45 AM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	0.0%	0.00
WB	0.0%	0.42
NB	4.3%	0.64
SB	2.1%	0.89
All	3.1%	0.78

Traffic Counts - Motorized Vehicles

Interval Start Time	Xerox Dr Eastbound				Xerox Dr Westbound				SW Parkway Ave Northbound				SW Parkway Ave Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
7:00 AM	0	0	0	0	0	0	0	0	0	0	10	0	0	0	12	0	22	371
7:05 AM	0	0	0	0	0	1	0	0	0	0	17	0	0	0	9	0	27	375
7:10 AM	0	0	0	0	0	0	0	0	0	0	12	1	0	0	20	0	33	386
7:15 AM	0	0	0	0	0	0	0	1	0	0	7	0	0	1	15	0	24	380
7:20 AM	0	0	0	0	0	0	0	0	0	0	10	0	0	1	19	0	30	388
7:25 AM	0	0	0	0	0	0	0	0	0	0	18	1	0	0	15	0	34	389
7:30 AM	0	0	0	0	0	0	0	0	0	0	16	0	0	2	13	0	31	397
7:35 AM	0	0	0	0	0	0	0	0	0	0	12	0	0	0	13	0	25	414
7:40 AM	0	0	0	0	0	0	0	0	0	0	15	0	0	0	21	0	36	439
7:45 AM	0	0	0	0	0	0	0	0	0	0	12	0	0	1	21	0	34	449
7:50 AM	0	0	0	0	0	1	0	0	0	0	18	1	0	1	15	0	36	443
7:55 AM	0	0	0	0	0	0	0	0	0	0	19	1	0	0	19	0	39	449
8:00 AM	0	0	0	0	0	0	0	0	0	0	9	0	0	2	15	0	26	448
8:05 AM	0	0	0	0	0	0	0	0	0	0	10	1	0	3	24	0	38	
8:10 AM	0	0	0	0	0	0	0	0	0	0	15	0	0	0	12	0	27	
8:15 AM	0	0	0	0	0	0	0	0	0	0	9	1	0	2	20	0	32	
8:20 AM	0	0	0	0	0	1	0	0	0	0	13	0	0	2	15	0	31	
8:25 AM	0	0	0	0	0	0	0	0	0	0	23	0	0	2	17	0	42	
8:30 AM	0	0	0	0	0	0	0	0	0	0	35	0	0	1	12	0	48	
8:35 AM	0	0	0	0	0	0	0	2	0	0	23	3	0	0	22	0	50	
8:40 AM	0	0	0	0	0	0	0	1	0	0	18	0	0	1	26	0	46	
8:45 AM	0	0	0	0	0	0	0	0	0	0	14	1	0	0	13	0	28	
8:50 AM	0	0	0	0	0	0	0	0	0	0	15	1	0	0	26	0	42	
8:55 AM	0	0	0	0	0	0	0	1	0	0	18	3	0	0	16	0	38	
Count Total	0	0	0	0	0	3	0	5	0	0	368	14	0	19	410	0	819	
Peak Hour	0	0	0	0	0	2	0	3	0	0	204	7	0	15	218	0	449	

Location: 2 SW Parkway Ave & Xerox Dr AM

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
7:00 AM	0	0	0	0	0	7:00 AM	0	0	0	0	0	7:00 AM	0	0	0	0	0
7:05 AM	0	1	0	0	1	7:05 AM	0	0	0	0	0	7:05 AM	0	0	0	0	0
7:10 AM	0	0	0	1	1	7:10 AM	0	0	0	0	0	7:10 AM	0	0	0	0	0
7:15 AM	0	0	0	0	0	7:15 AM	0	0	0	0	0	7:15 AM	0	0	0	0	0
7:20 AM	0	0	0	2	2	7:20 AM	0	0	0	0	0	7:20 AM	0	0	0	0	0
7:25 AM	0	0	0	1	1	7:25 AM	0	0	0	0	0	7:25 AM	0	0	0	0	0
7:30 AM	0	0	0	0	0	7:30 AM	0	0	0	0	0	7:30 AM	0	0	0	0	0
7:35 AM	0	1	0	0	1	7:35 AM	0	0	0	0	0	7:35 AM	0	0	0	0	0
7:40 AM	0	1	0	1	2	7:40 AM	0	0	0	0	0	7:40 AM	0	0	0	0	0
7:45 AM	0	1	0	0	1	7:45 AM	0	0	0	0	0	7:45 AM	0	0	0	0	0
7:50 AM	0	0	0	0	0	7:50 AM	0	0	0	0	0	7:50 AM	0	0	0	0	0
7:55 AM	0	1	0	0	1	7:55 AM	0	0	0	0	0	7:55 AM	0	0	0	0	0
8:00 AM	0	0	0	0	0	8:00 AM	0	0	0	0	0	8:00 AM	0	0	0	0	0
8:05 AM	0	0	0	1	1	8:05 AM	0	0	0	1	1	8:05 AM	0	0	0	0	0
8:10 AM	0	2	0	1	3	8:10 AM	0	0	0	0	0	8:10 AM	0	0	0	0	0
8:15 AM	0	1	0	0	1	8:15 AM	0	0	0	0	0	8:15 AM	0	0	0	0	0
8:20 AM	0	0	0	1	1	8:20 AM	0	0	0	0	0	8:20 AM	0	0	0	0	0
8:25 AM	0	2	0	0	2	8:25 AM	0	0	0	0	0	8:25 AM	0	0	0	0	0
8:30 AM	0	0	0	1	1	8:30 AM	0	0	0	0	0	8:30 AM	0	0	0	0	0
8:35 AM	0	1	0	0	1	8:35 AM	0	0	0	0	0	8:35 AM	0	0	0	0	0
8:40 AM	0	1	0	1	2	8:40 AM	0	0	0	0	0	8:40 AM	0	0	0	0	0
8:45 AM	0	0	0	0	0	8:45 AM	0	0	0	0	0	8:45 AM	0	0	0	0	0
8:50 AM	0	0	0	0	0	8:50 AM	0	0	0	0	0	8:50 AM	0	0	0	0	0
8:55 AM	0	0	0	0	0	8:55 AM	0	0	0	0	0	8:55 AM	0	0	0	0	0
Count Total	0	12	0	10	22	Count Total	0	0	0	1	1	Count Total	0	0	0	0	0
Peak Hour	0	9	0	5	14	Peak Hour	0	0	0	1	1	Peak Hour	0	0	0	0	0

Location: 3 SW Parkway Ave & Printer Pkwy AM



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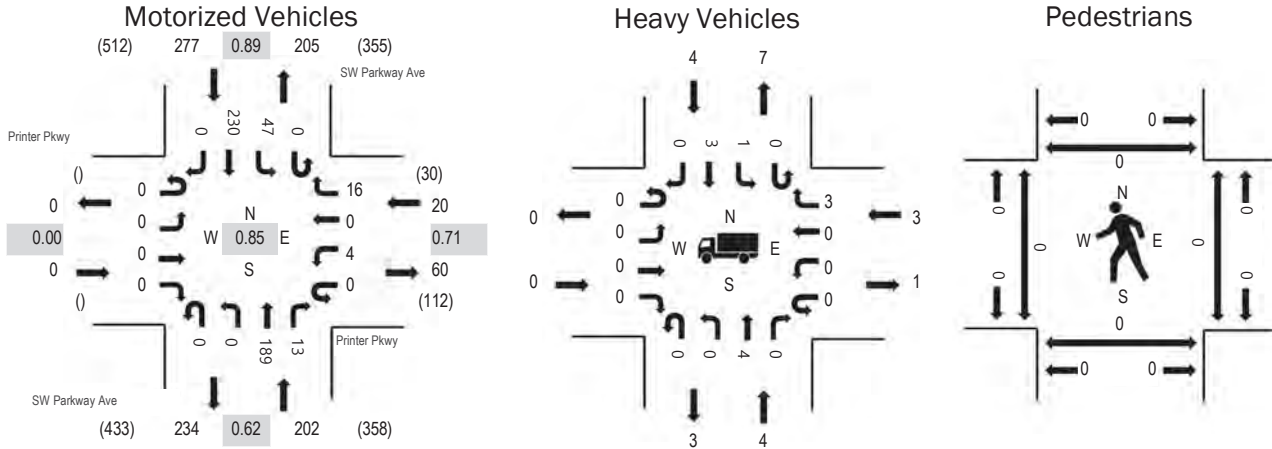
Location: 3 SW Parkway Ave & Printer Pkwy AM

Date: Wednesday, March 30, 2022

Peak Hour: 07:55 AM - 08:55 AM

Peak 15-Minutes: 08:25 AM - 08:40 AM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	0.0%	0.00
WB	15.0%	0.71
NB	2.0%	0.62
SB	1.4%	0.89
All	2.2%	0.85

Traffic Counts - Motorized Vehicles

Interval Start Time	Printer Pkwy Eastbound				Printer Pkwy Westbound				SW Parkway Ave Northbound				SW Parkway Ave Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
7:00 AM	0	0	0	0	0	0	0	0	0	0	6	3	0	2	8	0	19	402
7:05 AM	0	0	0	0	0	0	0	0	0	0	13	2	0	0	11	0	26	418
7:10 AM	0	0	0	0	0	0	0	0	0	0	13	0	0	3	19	0	35	433
7:15 AM	0	0	0	0	0	1	0	0	0	0	8	0	0	3	16	0	28	434
7:20 AM	0	0	0	0	0	0	0	1	0	0	9	1	0	4	22	0	37	440
7:25 AM	0	0	0	0	0	0	0	2	0	0	17	1	0	5	13	0	38	437
7:30 AM	0	0	0	0	0	1	0	2	0	0	15	1	0	4	13	0	36	451
7:35 AM	0	0	0	0	0	0	0	2	0	0	10	0	0	3	14	0	29	463
7:40 AM	0	0	0	0	0	0	0	1	0	0	14	1	0	2	23	0	41	480
7:45 AM	0	0	0	0	0	0	0	0	0	0	10	3	0	3	23	0	39	486
7:50 AM	0	0	0	0	0	0	0	0	0	0	9	0	0	5	18	0	32	486
7:55 AM	0	0	0	0	0	0	0	1	0	0	17	1	0	3	20	0	42	499
8:00 AM	0	0	0	0	0	1	0	1	0	0	5	3	0	7	18	0	35	498
8:05 AM	0	0	0	0	0	0	0	2	0	0	9	0	0	4	26	0	41	
8:10 AM	0	0	0	0	0	0	0	2	0	0	13	3	0	2	16	0	36	
8:15 AM	0	0	0	0	0	0	0	3	0	0	8	0	0	5	18	0	34	
8:20 AM	0	0	0	0	0	0	0	1	0	0	11	2	0	4	16	0	34	
8:25 AM	0	0	0	0	0	0	0	2	0	0	24	0	0	6	20	0	52	
8:30 AM	0	0	0	0	0	0	0	0	0	0	32	1	0	0	15	0	48	
8:35 AM	0	0	0	0	0	1	0	0	0	0	23	2	0	2	18	0	46	
8:40 AM	0	0	0	0	0	1	0	1	0	0	19	0	0	1	25	0	47	
8:45 AM	0	0	0	0	0	1	0	1	0	0	13	1	0	9	14	0	39	
8:50 AM	0	0	0	0	0	0	0	2	0	0	15	0	0	4	24	0	45	
8:55 AM	0	0	0	0	0	0	0	0	0	0	18	2	0	4	17	0	41	
Count Total	0	0	0	0	0	6	0	24	0	0	331	27	0	85	427	0	900	
Peak Hour	0	0	0	0	0	4	0	16	0	0	189	13	0	47	230	0	499	

Location: 3 SW Parkway Ave & Printer Pkwy AM

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
7:00 AM	0	0	0	0	0	7:00 AM	0	0	0	0	0	7:00 AM	0	0	0	0	0
7:05 AM	0	0	0	0	0	7:05 AM	0	0	0	0	0	7:05 AM	0	0	0	0	0
7:10 AM	0	0	0	1	1	7:10 AM	0	0	0	0	0	7:10 AM	0	0	0	0	0
7:15 AM	0	0	0	0	0	7:15 AM	0	0	0	0	0	7:15 AM	0	0	0	0	0
7:20 AM	0	0	1	2	3	7:20 AM	0	0	0	0	0	7:20 AM	0	0	0	0	0
7:25 AM	0	0	0	0	0	7:25 AM	0	0	0	0	0	7:25 AM	0	0	0	0	0
7:30 AM	0	0	0	1	1	7:30 AM	0	0	0	0	0	7:30 AM	0	0	0	0	0
7:35 AM	0	0	0	0	0	7:35 AM	0	0	0	0	0	7:35 AM	0	0	0	0	0
7:40 AM	0	1	0	1	2	7:40 AM	0	0	0	0	0	7:40 AM	0	0	0	0	0
7:45 AM	0	0	0	0	0	7:45 AM	0	0	0	0	0	7:45 AM	0	0	0	0	0
7:50 AM	0	0	0	0	0	7:50 AM	0	0	0	0	0	7:50 AM	0	0	0	0	0
7:55 AM	0	0	1	0	1	7:55 AM	0	0	0	0	0	7:55 AM	0	0	0	0	0
8:00 AM	0	0	0	0	0	8:00 AM	0	0	0	1	1	8:00 AM	0	0	0	0	0
8:05 AM	0	0	0	0	0	8:05 AM	0	0	0	0	0	8:05 AM	0	0	0	0	0
8:10 AM	0	1	0	1	2	8:10 AM	0	0	0	0	0	8:10 AM	0	0	0	0	0
8:15 AM	0	0	0	1	1	8:15 AM	0	0	0	0	0	8:15 AM	0	0	0	0	0
8:20 AM	0	0	1	1	2	8:20 AM	0	0	0	0	0	8:20 AM	0	0	0	0	0
8:25 AM	0	2	1	0	3	8:25 AM	0	0	0	0	0	8:25 AM	0	0	0	0	0
8:30 AM	0	0	0	0	0	8:30 AM	0	0	0	0	0	8:30 AM	0	0	0	0	0
8:35 AM	0	0	0	0	0	8:35 AM	0	0	0	0	0	8:35 AM	0	0	0	0	0
8:40 AM	0	1	0	1	2	8:40 AM	0	0	0	0	0	8:40 AM	0	0	0	0	0
8:45 AM	0	0	0	0	0	8:45 AM	0	0	0	0	0	8:45 AM	0	0	0	0	0
8:50 AM	0	0	0	0	0	8:50 AM	0	0	0	1	1	8:50 AM	0	0	0	0	0
8:55 AM	0	0	0	0	0	8:55 AM	0	0	0	0	0	8:55 AM	0	0	0	0	0
Count Total	0	5	4	9	18	Count Total	0	0	0	2	2	Count Total	0	0	0	0	0
Peak Hour	0	4	3	4	11	Peak Hour	0	0	0	2	2	Peak Hour	0	0	0	0	0



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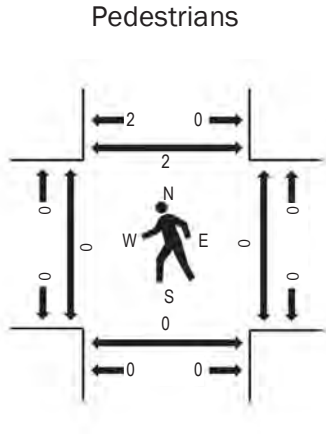
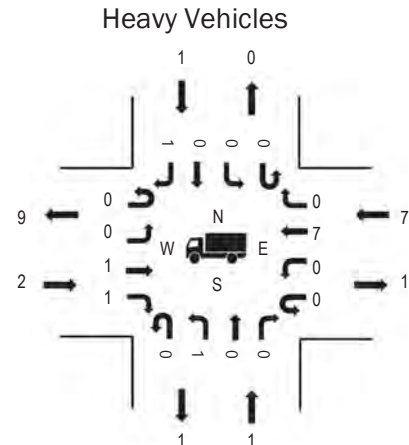
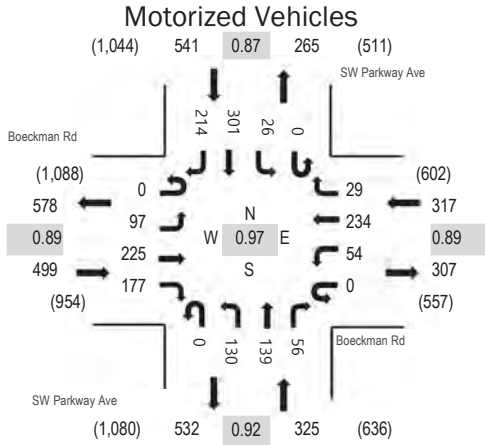
Location: 1 SW Parkway Ave & Boeckman Rd PM

Date: Tuesday, March 29, 2022

Peak Hour: 04:00 PM - 05:00 PM

Peak 15-Minutes: 04:00 PM - 04:15 PM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	0.4%	0.89
WB	2.2%	0.89
NB	0.3%	0.92
SB	0.2%	0.87
All	0.7%	0.97

Traffic Counts - Motorized Vehicles

Interval Start Time	Boeckman Rd Eastbound				Boeckman Rd Westbound				SW Parkway Ave Northbound				SW Parkway Ave Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
4:00 PM	0	5	25	16	0	5	27	5	0	9	14	3	0	3	26	23	161	1,682
4:05 PM	0	6	19	16	0	5	18	1	0	12	11	4	0	3	27	15	137	1,645
4:10 PM	0	8	14	16	0	3	15	1	0	11	6	2	0	2	29	27	134	1,656
4:15 PM	0	4	16	12	0	6	18	1	0	15	12	4	0	2	21	16	127	1,668
4:20 PM	0	11	24	18	0	3	21	2	0	4	9	6	0	3	19	18	138	1,676
4:25 PM	0	7	19	17	0	3	15	4	0	11	14	3	0	3	26	19	141	1,667
4:30 PM	0	6	10	11	0	4	15	4	0	11	12	8	0	4	29	20	134	1,659
4:35 PM	0	3	23	31	0	6	25	2	0	10	9	5	0	3	20	14	151	1,634
4:40 PM	0	12	16	11	0	3	19	4	0	8	14	7	0	0	23	19	136	1,633
4:45 PM	0	12	23	11	0	4	14	1	0	13	11	6	0	1	26	17	139	1,625
4:50 PM	0	10	19	12	0	3	23	2	0	11	15	3	0	0	33	13	144	1,616
4:55 PM	0	13	17	6	0	9	24	2	0	15	12	5	0	2	22	13	140	1,583
5:00 PM	0	5	18	15	0	3	18	3	0	10	13	4	0	0	21	14	124	1,554
5:05 PM	0	7	23	17	0	3	22	2	0	10	15	2	0	4	27	16	148	
5:10 PM	0	8	11	19	0	4	26	4	0	8	16	2	0	1	29	18	146	
5:15 PM	0	8	17	15	0	9	19	1	0	8	13	1	0	4	27	13	135	
5:20 PM	0	3	16	18	0	8	21	1	0	13	10	3	0	3	16	17	129	
5:25 PM	0	6	14	15	0	1	14	1	0	8	13	6	0	5	33	17	133	
5:30 PM	0	4	13	20	0	3	16	0	0	9	12	3	0	1	18	10	109	
5:35 PM	0	10	20	18	0	3	19	3	0	20	18	4	0	1	24	10	150	
5:40 PM	0	6	16	12	0	2	10	2	0	11	11	3	0	1	42	12	128	
5:45 PM	0	7	15	22	0	5	14	4	0	7	9	3	0	2	24	18	130	
5:50 PM	0	2	7	16	0	5	19	0	0	13	7	3	0	1	25	13	111	
5:55 PM	0	6	19	7	0	3	15	2	0	7	14	2	0	2	19	15	111	
Count Total	0	169	414	371	0	103	447	52	0	254	290	92	0	51	606	387	3,236	
Peak Hour	0	97	225	177	0	54	234	29	0	130	139	56	0	26	301	214	1,682	

Location: 1 SW Parkway Ave & Boeckman Rd PM

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	2	0	0	0	2	4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0
4:05 PM	0	0	1	0	1	4:05 PM	0	0	2	0	2	4:05 PM	0	0	0	0	0
4:10 PM	0	1	0	1	2	4:10 PM	1	0	0	1	2	4:10 PM	0	0	0	0	0
4:15 PM	0	0	0	0	0	4:15 PM	1	0	0	0	1	4:15 PM	0	0	0	0	0
4:20 PM	0	0	2	0	2	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0
4:25 PM	0	0	1	0	1	4:25 PM	0	1	0	0	1	4:25 PM	0	0	0	0	0
4:30 PM	0	0	1	0	1	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0
4:35 PM	0	0	2	0	2	4:35 PM	1	0	0	0	1	4:35 PM	0	0	0	2	2
4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0
4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0
4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0
4:55 PM	0	0	0	0	0	4:55 PM	1	0	20	0	21	4:55 PM	0	0	0	0	0
5:00 PM	0	0	0	0	0	5:00 PM	0	0	16	0	16	5:00 PM	0	1	3	0	4
5:05 PM	0	0	0	0	0	5:05 PM	1	0	0	0	1	5:05 PM	0	0	0	0	0
5:10 PM	0	0	0	0	0	5:10 PM	0	0	2	0	2	5:10 PM	0	0	0	0	0
5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0	5:15 PM	0	0	2	0	2
5:20 PM	0	0	0	0	0	5:20 PM	1	1	0	1	3	5:20 PM	0	0	0	0	0
5:25 PM	0	0	0	0	0	5:25 PM	0	0	1	0	1	5:25 PM	0	1	0	0	1
5:30 PM	0	0	0	0	0	5:30 PM	0	0	1	0	1	5:30 PM	0	1	0	0	1
5:35 PM	0	0	0	0	0	5:35 PM	0	0	1	0	1	5:35 PM	0	0	0	0	0
5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0	5:40 PM	0	0	4	0	4
5:45 PM	0	0	1	0	1	5:45 PM	0	0	0	0	0	5:45 PM	0	1	1	1	3
5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	2	1	8	1	12	Count Total	6	2	43	2	53	Count Total	0	4	10	3	17
Peak Hour	2	1	7	1	11	Peak Hour	4	1	22	1	28	Peak Hour	0	0	0	2	2

Location: 2 SW Parkway Ave & Xerox Dr PM



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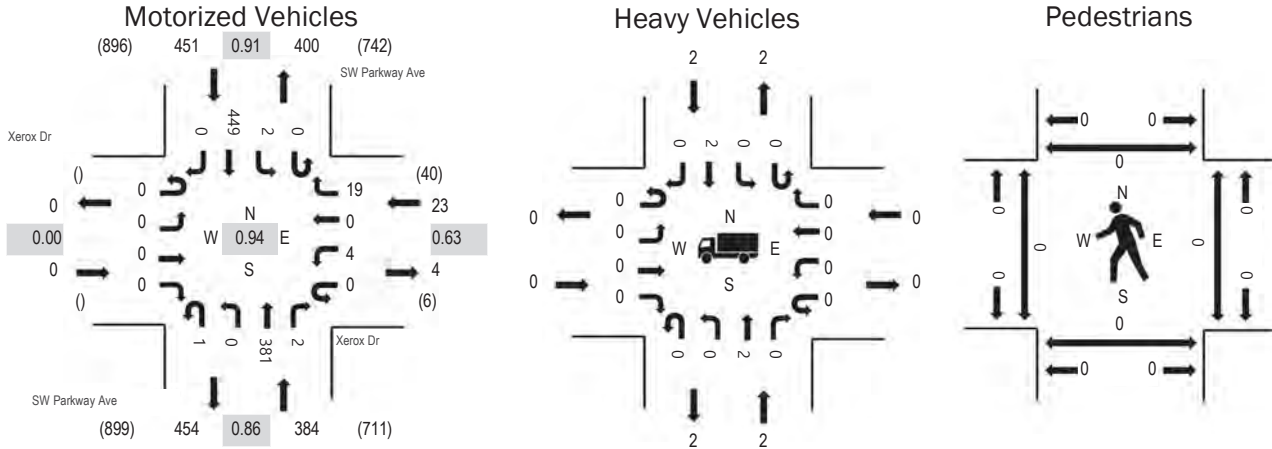
Location: 2 SW Parkway Ave & Xerox Dr PM

Date: Tuesday, March 29, 2022

Peak Hour: 04:20 PM - 05:20 PM

Peak 15-Minutes: 05:00 PM - 05:15 PM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	0.0%	0.00
WB	0.0%	0.63
NB	0.5%	0.86
SB	0.4%	0.91
All	0.5%	0.94

Traffic Counts - Motorized Vehicles

Interval Start Time	Xerox Dr Eastbound				Xerox Dr Westbound				SW Parkway Ave Northbound				SW Parkway Ave Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
4:00 PM	0	0	0	0	0	0	0	0	0	0	42	0	0	1	41	0	84	855
4:05 PM	0	0	0	0	0	0	0	2	0	0	33	0	0	0	46	0	81	838
4:10 PM	0	0	0	0	0	0	0	1	0	0	27	0	0	0	38	0	66	839
4:15 PM	0	0	0	0	0	0	0	0	0	0	25	0	0	0	30	0	55	853
4:20 PM	0	0	0	0	0	0	0	1	0	0	28	0	0	0	41	0	70	858
4:25 PM	0	0	0	0	0	1	0	2	0	0	30	0	0	1	34	0	68	848
4:30 PM	0	0	0	0	0	1	0	0	0	0	28	0	0	0	50	0	79	846
4:35 PM	0	0	0	0	0	0	0	3	0	0	31	0	0	0	31	0	65	817
4:40 PM	0	0	0	0	0	1	0	2	0	0	31	0	0	1	38	0	73	831
4:45 PM	0	0	0	0	0	0	0	0	0	0	30	1	0	0	43	0	74	835
4:50 PM	0	0	0	0	0	0	0	0	0	0	38	0	0	0	31	0	69	824
4:55 PM	0	0	0	0	0	0	0	1	0	0	37	1	0	0	32	0	71	808
5:00 PM	0	0	0	0	0	1	0	3	0	0	30	0	0	0	33	0	67	792
5:05 PM	0	0	0	0	0	0	0	1	0	0	44	0	0	0	37	0	82	
5:10 PM	0	0	0	0	0	0	0	3	0	0	33	0	0	0	44	0	80	
5:15 PM	0	0	0	0	0	0	0	3	1	0	21	0	0	0	35	0	60	
5:20 PM	0	0	0	0	0	0	0	2	0	0	26	0	0	0	32	0	60	
5:25 PM	0	0	0	0	0	0	0	0	0	0	27	0	0	0	39	0	66	
5:30 PM	0	0	0	0	0	0	0	0	0	0	22	0	0	1	27	0	50	
5:35 PM	0	0	0	0	0	0	0	4	0	0	33	0	0	0	42	0	79	
5:40 PM	0	0	0	0	0	1	0	4	0	0	27	0	0	0	45	0	77	
5:45 PM	0	0	0	0	0	0	0	1	0	0	25	0	0	0	37	0	63	
5:50 PM	0	0	0	0	0	0	0	0	0	0	20	0	0	0	33	0	53	
5:55 PM	0	0	0	0	0	1	0	1	0	0	20	0	0	0	33	0	55	
Count Total	0	0	0	0	0	6	0	34	1	0	708	2	0	4	892	0	1,647	
Peak Hour	0	0	0	0	0	4	0	19	1	0	381	2	0	2	449	0	858	

Location: 2 SW Parkway Ave & Xerox Dr PM

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	0	1	0	1	2	4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0
4:05 PM	0	1	0	1	2	4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0
4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0
4:15 PM	0	0	0	1	1	4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0
4:20 PM	0	1	0	0	1	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0
4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0
4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0
4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0
4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0
4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0
4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0
4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0
5:00 PM	0	0	0	1	1	5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0
5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0
5:10 PM	0	1	0	0	1	5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0
5:15 PM	0	0	0	1	1	5:15 PM	0	0	0	1	1	5:15 PM	0	0	0	0	0
5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0
5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0
5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0
5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0
5:45 PM	0	1	0	0	1	5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0
5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	0	5	0	5	10	Count Total	0	0	0	1	1	Count Total	0	0	0	0	0
Peak Hour	0	2	0	2	4	Peak Hour	0	0	0	1	1	Peak Hour	0	0	0	0	0

Location: 3 SW Parkway Ave & Printer Pkwy PM



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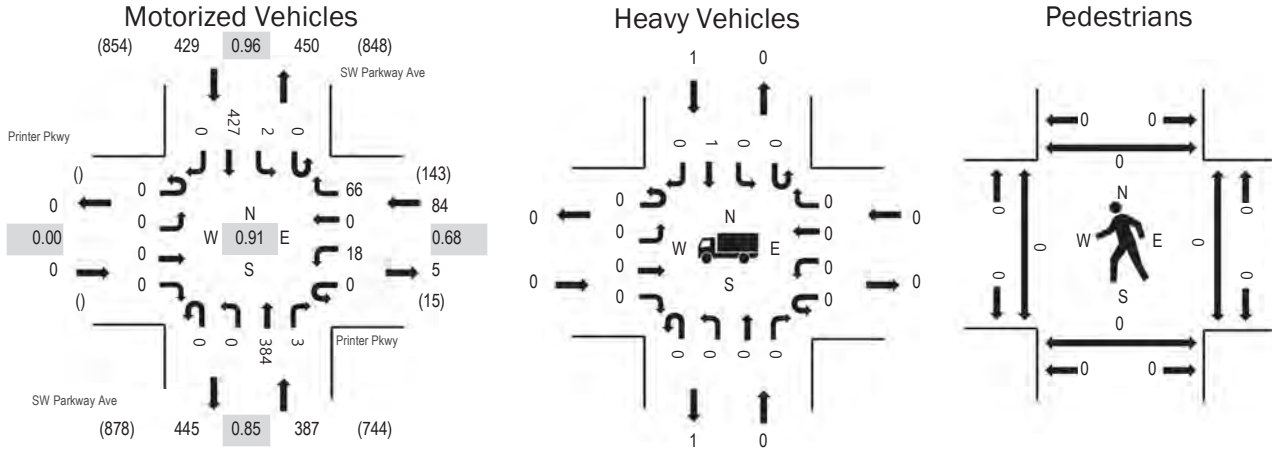
Location: 3 SW Parkway Ave & Printer Pkwy PM

Date: Tuesday, March 29, 2022

Peak Hour: 04:00 PM - 05:00 PM

Peak 15-Minutes: 04:00 PM - 04:15 PM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	0.0%	0.00
WB	0.0%	0.68
NB	0.0%	0.85
SB	0.2%	0.96
All	0.1%	0.91

Traffic Counts - Motorized Vehicles

Interval Start Time	Printer Pkwy Eastbound				Printer Pkwy Westbound				SW Parkway Ave Northbound				SW Parkway Ave Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
4:00 PM	0	0	0	0	0	4	0	8	0	0	40	0	0	0	35	0	87	900
4:05 PM	0	0	0	0	0	2	0	8	0	0	35	0	0	0	41	0	86	888
4:10 PM	0	0	0	0	0	1	0	6	0	0	30	0	0	0	36	0	73	890
4:15 PM	0	0	0	0	0	0	0	14	0	0	26	0	0	0	26	0	66	895
4:20 PM	0	0	0	0	0	4	0	6	0	0	25	1	0	0	38	0	74	893
4:25 PM	0	0	0	0	0	0	0	5	0	0	35	0	0	0	36	0	76	886
4:30 PM	0	0	0	0	0	1	0	2	0	0	24	1	0	0	50	0	78	877
4:35 PM	0	0	0	0	0	0	0	3	0	0	35	0	0	0	30	0	68	853
4:40 PM	0	0	0	0	0	2	0	4	0	0	32	0	0	0	34	0	72	872
4:45 PM	0	0	0	0	0	3	0	2	0	0	31	0	0	0	40	0	76	882
4:50 PM	0	0	0	0	0	0	0	4	0	0	40	0	0	1	30	0	75	870
4:55 PM	0	0	0	0	0	1	0	4	0	0	31	1	0	1	31	0	69	854
5:00 PM	0	0	0	0	0	2	0	3	0	0	38	0	0	0	32	0	75	841
5:05 PM	0	0	0	0	0	1	0	2	0	0	48	0	0	0	37	0	88	
5:10 PM	0	0	0	0	0	1	0	3	0	0	32	1	0	0	41	0	78	
5:15 PM	0	0	0	0	0	1	0	4	0	0	26	0	0	1	32	0	64	
5:20 PM	0	0	0	0	0	0	0	2	0	0	29	0	0	0	36	0	67	
5:25 PM	0	0	0	0	0	0	0	2	0	0	25	0	0	0	40	0	67	
5:30 PM	0	0	0	0	0	3	0	3	0	0	25	1	0	0	22	0	54	
5:35 PM	0	0	0	0	0	4	0	8	0	0	33	1	0	1	40	0	87	
5:40 PM	0	0	0	0	0	1	0	5	0	0	33	0	0	2	41	0	82	
5:45 PM	0	0	0	0	0	0	0	4	0	0	24	1	0	2	33	0	64	
5:50 PM	0	0	0	0	0	0	0	6	0	0	19	0	0	0	34	0	59	
5:55 PM	0	0	0	0	0	1	0	3	0	0	21	0	0	0	31	0	56	
Count Total	0	0	0	0	0	32	0	111	0	0	737	7	0	8	846	0	1,741	
Peak Hour	0	0	0	0	0	18	0	66	0	0	384	3	0	2	427	0	900	

Location: 3 SW Parkway Ave & Printer Pkwy PM

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0
4:05 PM	0	0	0	1	1	4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0
4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0
4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0
4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0
4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0
4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0
4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0
4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0
4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0
4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0
4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0
5:00 PM	0	0	0	1	1	5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0
5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0
5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0
5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0
5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0
5:25 PM	0	0	0	0	0	5:25 PM	0	0	1	1	1	5:25 PM	0	0	0	0	0
5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0
5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0
5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0
5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	0	0	0	2	2	Count Total	0	0	1	1	1	Count Total	0	0	0	0	0
Peak Hour	0	0	0	1	1	Peak Hour	0	0	0	0	0	Peak Hour	0	0	0	0	0

Location: 4 Parkway Center Dr & SW Elligsen Rd PM



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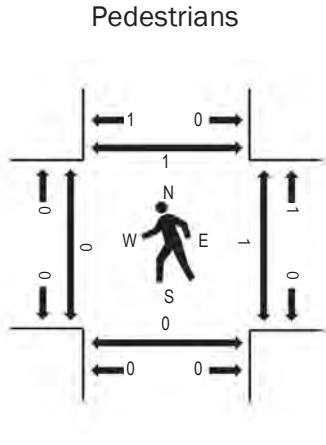
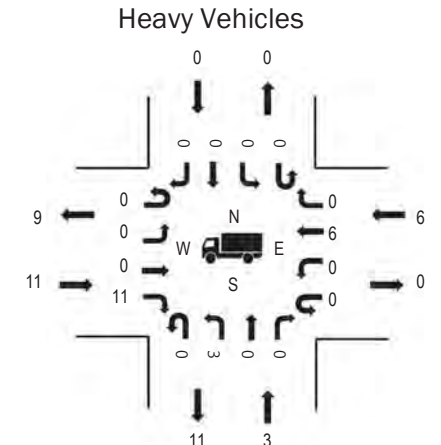
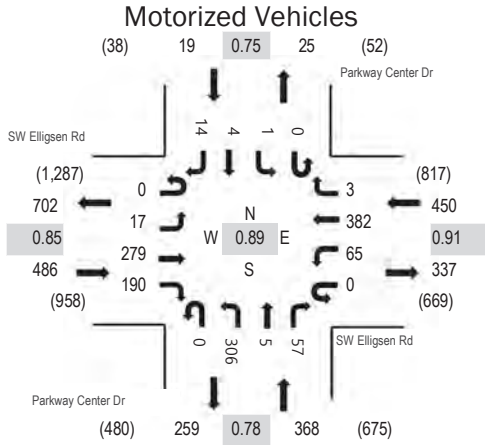
Location: 4 Parkway Center Dr & SW Elligsen Rd PM

Date: Tuesday, March 29, 2022

Peak Hour: 04:30 PM - 05:30 PM

Peak 15-Minutes: 05:05 PM - 05:20 PM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	2.3%	0.85
WB	1.3%	0.91
NB	0.8%	0.78
SB	0.0%	0.75
All	1.5%	0.89

Traffic Counts - Motorized Vehicles

Interval Start Time	SW Elligsen Rd Eastbound				SW Elligsen Rd Westbound				Parkway Center Dr Northbound				Parkway Center Dr Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
4:00 PM	0	0	19	16	0	4	17	0	0	32	1	4	0	0	0	0	93	1,236
4:05 PM	0	0	28	10	0	7	42	0	0	30	0	5	0	0	0	1	123	1,252
4:10 PM	0	5	23	11	0	3	30	1	0	23	0	1	0	1	1	2	101	1,251
4:15 PM	0	1	16	9	0	3	34	0	0	26	0	4	0	0	0	3	96	1,262
4:20 PM	0	3	31	19	0	3	27	0	0	21	1	6	0	0	0	1	112	1,305
4:25 PM	0	2	19	10	0	1	33	0	0	14	0	7	0	0	1	2	89	1,289
4:30 PM	0	1	22	13	0	7	29	0	0	26	1	5	0	0	0	0	104	1,323
4:35 PM	0	0	20	14	0	6	30	1	0	36	0	2	0	0	0	1	110	1,301
4:40 PM	0	0	20	13	0	2	38	0	0	22	0	4	0	1	0	1	101	1,306
4:45 PM	0	1	26	21	0	2	25	0	0	21	0	4	0	0	2	3	105	1,310
4:50 PM	0	0	15	18	0	2	25	0	0	22	0	4	0	0	0	0	86	1,309
4:55 PM	0	1	19	14	0	10	36	0	0	26	1	7	0	0	1	1	116	1,296
5:00 PM	0	2	21	11	0	8	29	0	0	31	2	3	0	0	1	1	109	1,252
5:05 PM	0	3	18	13	0	4	34	1	0	41	1	7	0	0	0	0	122	
5:10 PM	0	2	21	24	0	5	36	1	0	13	0	8	0	0	0	2	112	
5:15 PM	0	3	37	17	0	8	35	0	0	30	0	7	0	0	0	2	139	
5:20 PM	0	0	28	14	0	5	26	0	0	16	0	5	0	0	0	2	96	
5:25 PM	0	4	32	18	0	6	39	0	0	22	0	1	0	0	0	1	123	
5:30 PM	0	1	22	9	0	5	22	2	0	17	0	3	0	0	1	0	82	
5:35 PM	0	0	30	20	0	4	31	0	0	25	1	3	0	0	0	1	115	
5:40 PM	0	4	26	20	0	5	27	0	0	17	0	4	0	0	0	2	105	
5:45 PM	0	2	33	17	0	8	21	0	0	15	1	6	0	0	0	1	104	
5:50 PM	0	0	15	18	0	1	16	0	0	18	1	3	0	0	0	1	73	
5:55 PM	0	1	20	12	0	3	17	0	0	15	0	3	0	0	0	1	72	
Count Total	0	36	561	361	0	112	699	6	0	559	10	106	0	2	7	29	2,488	
Peak Hour	0	17	279	190	0	65	382	3	0	306	5	57	0	1	4	14	1,323	

Location: 4 Parkway Center Dr & SW Elligsen Rd PM

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	0	0	1	0	1	4:00 PM	0	0	0	0	0	4:00 PM	0	0	2	2	4
4:05 PM	1	0	0	0	1	4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0
4:10 PM	1	1	2	0	4	4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0
4:15 PM	1	2	0	1	4	4:15 PM	0	0	0	0	0	4:15 PM	0	0	2	1	3
4:20 PM	1	1	1	0	3	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0
4:25 PM	1	0	0	0	1	4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0
4:30 PM	1	0	1	0	2	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	2	2
4:35 PM	0	1	2	0	3	4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0
4:40 PM	0	0	2	0	2	4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0
4:45 PM	2	0	0	0	2	4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0
4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0	4:50 PM	0	0	1	0	1
4:55 PM	2	1	0	0	3	4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0
5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0
5:05 PM	1	0	0	0	1	5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0
5:10 PM	1	1	1	0	3	5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0
5:15 PM	1	0	0	0	1	5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0
5:20 PM	1	0	0	0	1	5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0
5:25 PM	2	0	0	0	2	5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0
5:30 PM	1	0	0	0	1	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	1	0	0	0	1	5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0
5:40 PM	1	1	0	0	2	5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0
5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0
5:50 PM	1	0	0	0	1	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	20	8	10	1	39	Count Total	0	0	0	0	0	Count Total	0	0	5	5	10
Peak Hour	11	3	6	0	20	Peak Hour	0	0	0	0	0	Peak Hour	0	0	1	2	3



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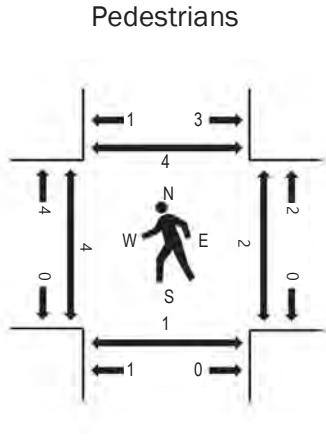
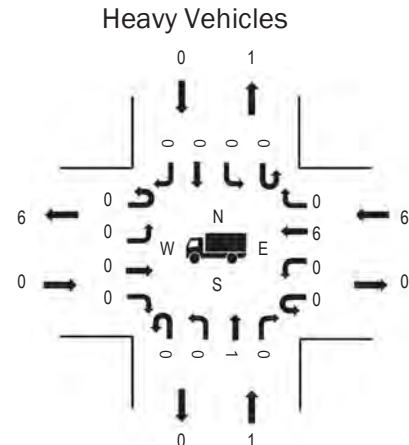
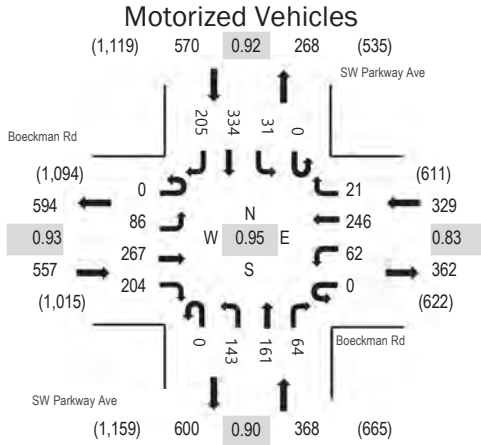
Location: 1 SW Parkway Ave & Boeckman Rd PM

Date: Wednesday, March 30, 2022

Peak Hour: 04:20 PM - 05:20 PM

Peak 15-Minutes: 05:05 PM - 05:20 PM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	0.0%	0.93
WB	1.8%	0.83
NB	0.3%	0.90
SB	0.0%	0.92
All	0.4%	0.95

Traffic Counts - Motorized Vehicles

Interval Start Time	Boeckman Rd Eastbound				Boeckman Rd Westbound				SW Parkway Ave Northbound				SW Parkway Ave Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
4:00 PM	0	8	17	21	0	4	14	3	0	8	12	7	0	4	29	22	149	1,773
4:05 PM	0	9	20	20	0	1	10	5	0	10	12	5	0	0	29	13	134	1,780
4:10 PM	0	3	19	13	0	5	22	2	0	11	10	5	0	1	30	28	149	1,811
4:15 PM	0	5	16	18	0	4	25	1	0	12	12	2	0	1	35	22	153	1,809
4:20 PM	0	10	27	18	0	4	18	2	0	9	9	4	0	3	28	15	147	1,824
4:25 PM	0	6	20	19	0	3	15	2	0	9	16	5	0	2	26	12	135	1,814
4:30 PM	0	7	13	12	0	5	13	0	0	13	15	4	0	1	37	26	146	1,822
4:35 PM	0	9	33	22	0	6	22	3	0	12	13	6	0	1	27	17	171	1,821
4:40 PM	0	4	23	20	0	1	16	0	0	14	18	9	0	2	29	17	153	1,789
4:45 PM	0	7	23	8	0	3	30	2	0	12	6	7	0	2	25	14	139	1,754
4:50 PM	0	10	22	16	0	9	17	2	0	17	18	3	0	4	24	15	157	1,726
4:55 PM	0	4	18	14	0	7	15	0	0	9	14	4	0	5	25	25	140	1,668
5:00 PM	0	11	15	16	0	5	22	1	0	14	11	5	0	1	34	21	156	1,637
5:05 PM	0	6	22	25	0	4	35	4	0	8	11	7	0	3	20	20	165	
5:10 PM	0	6	16	18	0	7	14	3	0	11	18	5	0	3	34	12	147	
5:15 PM	0	6	35	16	0	8	29	2	0	15	12	5	0	4	25	11	168	
5:20 PM	0	8	16	18	0	6	23	0	0	6	16	6	0	2	25	11	137	
5:25 PM	0	11	13	17	0	6	24	2	0	12	13	2	0	1	22	20	143	
5:30 PM	0	8	20	10	0	3	18	2	0	14	19	2	0	2	29	18	145	
5:35 PM	0	11	15	16	0	8	16	3	0	7	6	6	0	3	30	18	139	
5:40 PM	0	8	17	14	0	10	13	1	0	5	9	3	0	4	21	13	118	
5:45 PM	0	3	13	10	0	6	10	4	0	6	17	2	0	1	26	13	111	
5:50 PM	0	9	8	9	0	5	5	3	0	6	12	0	0	4	25	13	99	
5:55 PM	0	10	13	12	0	1	15	2	0	6	8	8	0	2	21	11	109	
Count Total	0	179	454	382	0	121	441	49	0	246	307	112	0	56	656	407	3,410	
Peak Hour	0	86	267	204	0	62	246	21	0	143	161	64	0	31	334	205	1,824	

Location: 1 SW Parkway Ave & Boeckman Rd PM

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	0	0	0	0	0	4:00 PM	0	0	1	1	2	4:00 PM	0	0	0	0	0
4:05 PM	2	0	0	0	2	4:05 PM	0	0	1	0	1	4:05 PM	0	1	0	0	1
4:10 PM	0	1	0	0	1	4:10 PM	1	0	0	1	2	4:10 PM	0	0	0	0	0
4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	1	1
4:20 PM	0	0	2	0	2	4:20 PM	0	0	1	0	1	4:20 PM	0	0	0	0	0
4:25 PM	0	0	0	0	0	4:25 PM	0	1	0	0	1	4:25 PM	0	0	0	0	0
4:30 PM	0	0	1	0	1	4:30 PM	0	0	1	0	1	4:30 PM	0	0	0	0	0
4:35 PM	0	0	1	0	1	4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0
4:40 PM	0	1	1	0	2	4:40 PM	0	0	0	0	0	4:40 PM	1	0	0	0	1
4:45 PM	0	0	1	0	1	4:45 PM	0	0	0	0	0	4:45 PM	0	1	0	1	2
4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0
4:55 PM	0	0	0	0	0	4:55 PM	1	0	0	0	1	4:55 PM	1	0	0	1	2
5:00 PM	0	0	0	0	0	5:00 PM	1	0	0	0	1	5:00 PM	2	0	0	2	4
5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0	5:05 PM	0	0	2	0	2
5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0
5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0	5:15 PM	0	0	1	0	1
5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0	5:20 PM	0	2	2	0	4
5:25 PM	0	0	0	0	0	5:25 PM	1	0	1	0	2	5:25 PM	0	0	1	0	1
5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0	5:35 PM	2	0	1	2	5
5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0
5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	1	1	5:45 PM	0	0	1	1	2
5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0	5:50 PM	0	1	1	1	3
5:55 PM	0	0	2	0	2	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	2	2	8	0	12	Count Total	4	1	5	3	13	Count Total	6	5	9	9	29
Peak Hour	0	1	6	0	7	Peak Hour	2	1	2	0	5	Peak Hour	4	1	3	4	12

Location: 2 SW Parkway Ave & Xerox Dr PM



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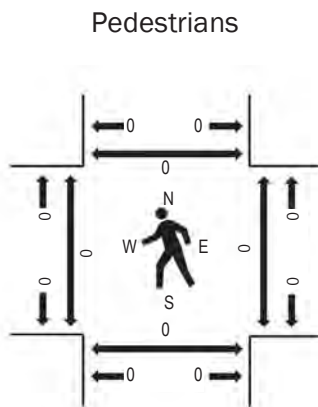
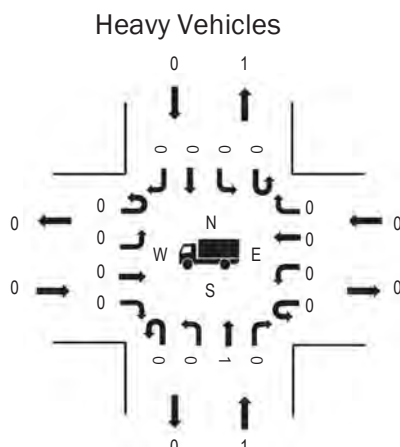
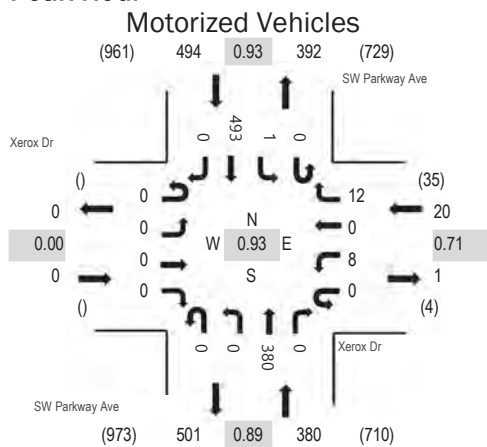
Location: 2 SW Parkway Ave & Xerox Dr PM

Date: Wednesday, March 30, 2022

Peak Hour: 04:10 PM - 05:10 PM

Peak 15-Minutes: 04:50 PM - 05:05 PM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	0.0%	0.00
WB	0.0%	0.71
NB	0.3%	0.89
SB	0.0%	0.93
All	0.1%	0.93

Traffic Counts - Motorized Vehicles

Interval Start Time	Xerox Dr Eastbound				Xerox Dr Westbound				SW Parkway Ave Northbound				SW Parkway Ave Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
4:00 PM	0	0	0	0	0	1	0	1	0	0	29	0	0	2	40	0	73	877
4:05 PM	0	0	0	0	0	0	0	1	0	0	28	0	0	0	33	0	62	893
4:10 PM	0	0	0	0	0	0	0	2	0	0	32	0	0	0	42	0	76	894
4:15 PM	0	0	0	0	0	0	0	0	0	0	27	0	0	0	47	0	74	893
4:20 PM	0	0	0	0	0	3	0	2	0	0	29	0	0	1	44	0	79	879
4:25 PM	0	0	0	0	0	0	0	2	0	0	34	0	0	0	42	0	78	862
4:30 PM	0	0	0	0	0	0	0	0	0	0	29	0	0	0	39	0	68	851
4:35 PM	0	0	0	0	0	1	0	1	0	0	41	0	0	0	41	0	84	856
4:40 PM	0	0	0	0	0	1	0	0	0	0	21	0	0	0	43	0	65	843
4:45 PM	0	0	0	0	0	0	0	1	0	0	25	0	0	0	40	0	66	844
4:50 PM	0	0	0	0	0	0	0	1	0	0	42	0	0	0	37	0	80	849
4:55 PM	0	0	0	0	0	0	0	2	0	0	26	0	0	0	44	0	72	836
5:00 PM	0	0	0	0	0	2	0	1	0	0	39	0	0	0	47	0	89	829
5:05 PM	0	0	0	0	0	1	0	0	0	0	35	0	0	0	27	0	63	
5:10 PM	0	0	0	0	0	0	0	0	0	0	33	0	0	0	42	0	75	
5:15 PM	0	0	0	0	0	0	0	2	0	0	24	0	0	0	34	0	60	
5:20 PM	0	0	0	0	0	2	0	1	0	0	29	0	0	0	30	0	62	
5:25 PM	0	0	0	0	0	1	0	0	0	0	27	0	0	0	39	0	67	
5:30 PM	0	0	0	0	0	1	0	0	0	0	27	1	0	0	44	0	73	
5:35 PM	0	0	0	0	0	1	0	0	0	0	26	0	0	0	44	0	71	
5:40 PM	0	0	0	0	0	1	0	0	0	0	23	0	0	0	42	0	66	
5:45 PM	0	0	0	0	0	0	0	0	0	0	33	0	0	0	38	0	71	
5:50 PM	0	0	0	0	0	0	0	0	0	0	24	0	0	0	43	0	67	
5:55 PM	0	0	0	0	0	0	0	3	0	0	26	0	0	0	36	0	65	
Count Total	0	0	0	0	0	15	0	20	0	0	709	1	0	3	958	0	1,706	
Peak Hour	0	0	0	0	0	8	0	12	0	0	380	0	0	1	493	0	894	

Location: 2 SW Parkway Ave & Xerox Dr PM

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0
4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0
4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0
4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0
4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0
4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0
4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0
4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0
4:40 PM	0	1	0	0	1	4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0
4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0
4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0
4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0
5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0
5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0
5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0
5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0
5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0
5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0
5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0
5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0
5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	1	1	5:45 PM	0	0	0	0	0
5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	0	1	0	0	1	Count Total	0	0	0	1	1	Count Total	0	0	0	0	0
Peak Hour	0	1	0	0	1	Peak Hour	0	0	0	0	0	Peak Hour	0	0	0	0	0

Location: 3 SW Parkway Ave & Printer Pkwy PM



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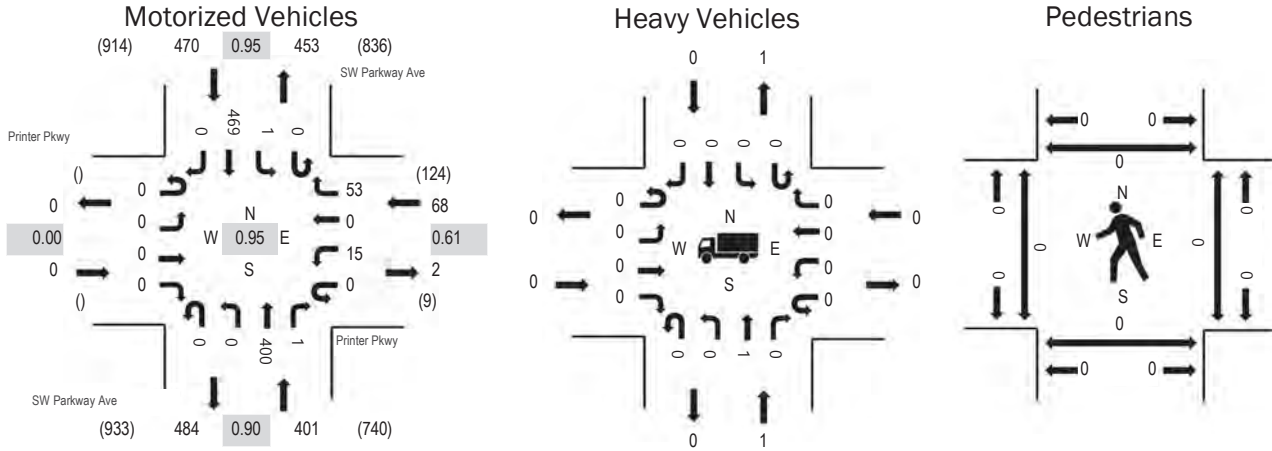
Location: 3 SW Parkway Ave & Printer Pkwy PM

Date: Wednesday, March 30, 2022

Peak Hour: 04:15 PM - 05:15 PM

Peak 15-Minutes: 04:15 PM - 04:30 PM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	0.0%	0.00
WB	0.0%	0.61
NB	0.2%	0.90
SB	0.0%	0.95
All	0.1%	0.95

Traffic Counts - Motorized Vehicles

Interval Start Time	Printer Pkwy Eastbound				Printer Pkwy Westbound				SW Parkway Ave Northbound				SW Parkway Ave Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
4:00 PM	0	0	0	0	0	4	0	6	0	0	31	0	0	1	35	0	77	926
4:05 PM	0	0	0	0	0	0	0	5	0	0	32	0	0	0	33	0	70	937
4:10 PM	0	0	0	0	0	1	0	6	0	0	33	0	0	1	39	0	80	936
4:15 PM	0	0	0	0	0	3	0	15	0	0	27	0	0	0	40	0	85	939
4:20 PM	0	0	0	0	0	1	0	4	0	0	34	0	0	0	43	0	82	917
4:25 PM	0	0	0	0	0	0	0	4	0	0	34	0	0	0	42	0	80	899
4:30 PM	0	0	0	0	0	4	0	2	0	0	34	0	0	0	34	0	74	886
4:35 PM	0	0	0	0	0	0	0	2	0	0	41	0	0	0	41	0	84	880
4:40 PM	0	0	0	0	0	1	0	5	0	0	24	0	0	0	40	0	70	864
4:45 PM	0	0	0	0	0	2	0	4	0	0	26	0	0	0	40	0	72	864
4:50 PM	0	0	0	0	0	2	0	0	0	0	38	0	0	1	34	0	75	868
4:55 PM	0	0	0	0	0	0	0	2	0	0	32	1	0	0	42	0	77	861
5:00 PM	0	0	0	0	0	0	0	1	0	0	41	0	0	0	46	0	88	852
5:05 PM	0	0	0	0	0	1	0	8	0	0	33	0	0	0	27	0	69	
5:10 PM	0	0	0	0	0	1	0	6	0	0	36	0	0	0	40	0	83	
5:15 PM	0	0	0	0	0	1	0	3	0	0	24	0	0	1	34	0	63	
5:20 PM	0	0	0	0	0	0	0	1	0	0	34	0	0	0	29	0	64	
5:25 PM	0	0	0	0	0	0	0	1	0	0	27	0	0	0	39	0	67	
5:30 PM	0	0	0	0	0	1	0	3	0	0	26	1	0	1	36	0	68	
5:35 PM	0	0	0	0	0	1	0	1	0	0	24	0	0	0	42	0	68	
5:40 PM	0	0	0	0	0	0	0	7	0	0	23	0	0	0	40	0	70	
5:45 PM	0	0	0	0	0	1	0	4	0	0	34	0	0	1	36	0	76	
5:50 PM	0	0	0	0	0	0	0	4	0	0	23	0	0	0	41	0	68	
5:55 PM	0	0	0	0	0	1	0	5	0	0	26	1	0	0	35	0	68	
Count Total	0	0	0	0	0	25	0	99	0	0	737	3	0	6	908	0	1,778	
Peak Hour	0	0	0	0	0	15	0	53	0	0	400	1	0	1	469	0	939	

Location: 3 SW Parkway Ave & Printer Pkwy PM

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0
4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0
4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0
4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0
4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0
4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0
4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0
4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0
4:40 PM	0	1	0	0	1	4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0
4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0
4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0
4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0
5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0
5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0
5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0
5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0
5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0
5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0
5:30 PM	0	0	0	1	1	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0
5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0
5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0
5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	0	1	0	1	2	Count Total	0	0	0	0	0	Count Total	0	0	0	0	0
Peak Hour	0	1	0	0	1	Peak Hour	0	0	0	0	0	Peak Hour	0	0	0	0	0

Location: 4 Parkway Center Dr & SW Elligsen Rd PM



(303) 216-2439
www.alltrafficdata.net

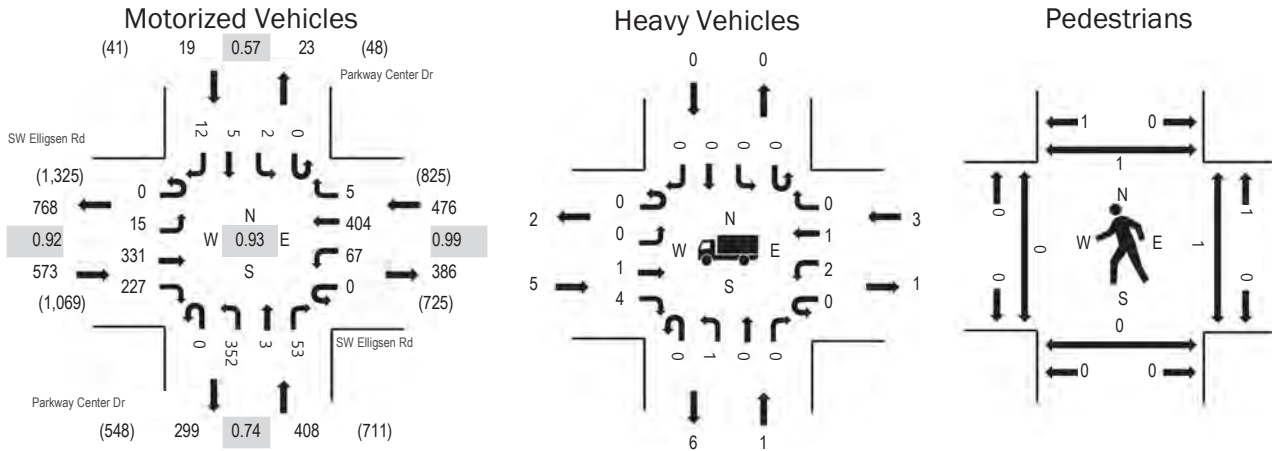
Location: 4 Parkway Center Dr & SW Elligsen Rd PM

Date: Wednesday, March 30, 2022

Peak Hour: 04:15 PM - 05:15 PM

Peak 15-Minutes: 04:30 PM - 04:45 PM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	0.9%	0.92
WB	0.6%	0.99
NB	0.2%	0.74
SB	0.0%	0.57
All	0.6%	0.93

Traffic Counts - Motorized Vehicles

Interval Start Time	SW Elligsen Rd Eastbound				SW Elligsen Rd Westbound				Parkway Center Dr Northbound				Parkway Center Dr Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
4:00 PM	0	0	19	18	0	3	19	0	0	24	0	4	0	0	0	0	87	1,408
4:05 PM	0	1	33	13	0	5	26	0	0	23	0	10	0	0	1	2	114	1,455
4:10 PM	0	0	19	18	0	4	26	0	0	26	0	6	0	0	2	3	104	1,463
4:15 PM	0	0	34	23	0	9	37	0	0	18	0	5	0	0	0	3	129	1,476
4:20 PM	0	1	16	11	0	9	33	0	0	25	1	5	0	0	0	2	103	1,467
4:25 PM	0	2	34	31	0	4	28	0	0	28	0	6	0	0	1	1	135	1,472
4:30 PM	0	0	24	19	0	7	36	1	0	31	1	5	0	1	1	1	127	1,432
4:35 PM	0	0	19	14	0	4	39	1	0	45	0	5	0	0	0	1	128	1,388
4:40 PM	0	0	26	25	0	7	25	0	0	56	0	2	0	0	1	0	142	1,359
4:45 PM	0	1	32	15	0	2	31	0	0	21	1	5	0	0	0	1	109	1,316
4:50 PM	0	3	28	21	0	7	34	1	0	19	0	5	0	1	0	0	119	1,308
4:55 PM	0	0	26	16	0	6	35	0	0	24	0	3	0	0	0	1	111	1,253
5:00 PM	0	3	27	16	0	4	29	1	0	42	0	10	0	0	1	1	134	1,238
5:05 PM	0	3	34	17	0	3	40	1	0	23	0	1	0	0	0	0	122	
5:10 PM	0	2	31	19	0	5	37	0	0	20	0	1	0	0	1	1	117	
5:15 PM	0	3	30	18	0	7	27	0	0	22	1	9	0	0	1	2	120	
5:20 PM	0	1	28	10	0	3	34	1	0	25	0	4	0	0	0	2	108	
5:25 PM	0	6	24	19	0	5	26	0	0	12	1	2	0	0	0	0	95	
5:30 PM	0	0	11	18	0	5	26	0	0	19	1	3	0	0	0	0	83	
5:35 PM	0	4	31	11	0	1	23	0	0	18	0	6	0	0	0	5	99	
5:40 PM	0	1	21	22	0	5	28	0	0	17	0	3	0	0	0	2	99	
5:45 PM	0	1	23	19	0	4	23	0	0	27	0	3	0	0	1	0	101	
5:50 PM	0	1	15	14	0	4	13	0	0	13	0	3	0	0	0	1	64	
5:55 PM	0	3	26	15	0	3	28	0	0	15	0	6	0	0	0	0	96	
Count Total	0	36	611	422	0	116	703	6	0	593	6	112	0	2	10	29	2,646	
Peak Hour	0	15	331	227	0	67	404	5	0	352	3	53	0	2	5	12	1,476	

Location: 4 Parkway Center Dr & SW Elligsen Rd PM

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0
4:05 PM	0	1	1	0	2	4:05 PM	1	0	0	0	1	4:05 PM	0	0	0	0	0
4:10 PM	0	0	1	0	1	4:10 PM	0	0	0	0	0	4:10 PM	0	1	1	0	2
4:15 PM	0	0	1	0	1	4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0
4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0
4:25 PM	0	0	1	0	1	4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0
4:30 PM	1	0	0	0	1	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0
4:35 PM	1	0	0	0	1	4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0
4:40 PM	1	0	0	0	1	4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0
4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0	4:45 PM	0	0	1	1	2
4:50 PM	0	1	0	0	1	4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0
4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0
5:00 PM	1	0	0	0	1	5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0
5:05 PM	1	0	1	0	2	5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0
5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0
5:15 PM	1	0	0	0	1	5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0
5:20 PM	3	0	2	0	5	5:20 PM	0	0	0	0	0	5:20 PM	0	0	1	0	1
5:25 PM	4	0	0	0	4	5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0
5:30 PM	1	0	0	0	1	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	1	0	0	0	1	5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0
5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0
5:45 PM	1	0	0	0	1	5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0
5:50 PM	1	0	0	0	1	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	2	0	0	0	2	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	19	2	7	0	28	Count Total	1	0	0	0	1	Count Total	0	1	3	1	5
Peak Hour	5	1	3	0	9	Peak Hour	0	0	0	0	0	Peak Hour	0	0	1	1	2

JUNE 20, 2022

Amy Pepper
City of Wilsonville
29799 Town Center Loop East
Wilsonville, OR 97070



SUBJECT: PARKWAY WOODS INDUSTRIAL DEVELOPMENT – PROPORTIONATE SHARE EVALUATION FOR TRANSPORTATION IMPROVEMENTS

BACKGROUND

A transportation impact analysis (TIA) was conducted for the proposed Parkway Woods flex industrial building to be located in the northwest portion of the Parkway Woods Business Park in Wilsonville, Oregon.¹ The project will consist of approximately 91,773 square-feet of industrial manufacturing space with a tenant to-be-determined. The site will have access driveways on Printer Parkway and Xerox Drive. Today, both Printer Parkway and Xerox Drive are private roads.

The TIA recommended southbound left-turn lanes on SW Parkway Avenue at Printer Parkway and Xerox Drive be constructed to address safety concerns of high speed (45 MPH) southbound through traffic on SW Parkway Avenue conflicting with southbound left-turning vehicles at the Printer Parkway and Xerox Drive intersections. The AM peak hour vehicle volumes at the two intersections were found to meet the left-turn lane volume criteria established by ODOT in their Analysis Procedures Manual (APM).²

After the TIA was conducted, the applicant had Kittelson & Associates provide a review of the TIA.³ Kittelson suggested that up to 20% of the trip assignment should be removed from SW Parkway Avenue and shifted to Canyon Creek Road to the east of the site. After receiving the TIA review letter, DKS agreed that the suggested trip assignment of 20% on Canyon Creek Road was appropriate and accordingly revised the original Parkway Woods TIA⁴ to reflect the trip assignment suggested by Kittelson. The project applicant then revised their site plan by increasing the total building square footage, thereby increasing the site's trip generation, and necessitating a revision to the DKS TIA.⁵ Kittelson also provided a revised review that addressed the site plan and trip generation revisions.⁶

This memorandum provides DKS' proportionate share (i.e., financial responsibility) evaluation and recommendations for the recommended left-turn lanes on SW Parkway Avenue as well as the

¹ Parkway Woods, Transportation Impact Analysis, DKS Associates, July 2022.

² Analysis Procedures Manual, Chapter 12.2, Oregon Department of Transportation, June 2022.

³ Parkway Woods TIA Review, Kittelson & Associates, July 13, 2022.

⁴ Parkway Woods, Transportation Impact Analysis, DKS Associates, September 2022.

⁵ Parkway Woods Revision, Transportation Impact Analysis, DKS Associates, January 2023.

⁶ Parkway Woods TIA Review, Kittelson & Associates, December 7, 2022.

project transportation improvements, inclusive of the addition of the building square footage and revised trip distribution. Other improvements, such as undergrounding, street trees, street lighting, and stormwater are not included in this evaluation. Additionally, construction responsibility of the improvements will be outlined in a separate Development Agreement between the City and Developer.

SAFETY NEEDS ON SW PARKWAY AVENUE

The City Development Code requires developments to ensure public safety.⁷ The recommendations for the left-turn lanes at Printer Parkway and Xerox Drive are based on the need for safe vehicle movements on SW Parkway Avenue. Vehicles on SW Parkway Avenue travel at higher speeds as the posted speed is 45 mph. On higher volume and higher speed roadways, left turning traffic can become a major safety concern. Because the major road traffic is free flowing and is typically traveling at higher speeds, crashes that do occur are often severe. The main crash types include collisions of vehicles turning left across opposing through traffic and rear-end collisions of vehicles turning left with other vehicles following closely behind. According to the Transportation Research Board *Access Management Manual*, 47% of crashes at driveways involve vehicles making left turns into a site.⁸ Based on the Highway Safety Manual, a left turn lane at an unsignalized intersection or driveway can reduce all types of crashes by 33% (for all movements and types).⁹

LEFT-TURN LANE AT PRINTER PARKWAY

Currently, both Printer Parkway and Xerox Drive are private roads. However, the 2013 Wilsonville Transportation Plan (TSP) calls for Printer Parkway to become a public street as fronting properties are developed. Because a left-turn lane at Printer Parkway would then serve public traffic, a proportionate share of the southbound left-turn lane is appropriate.

The following table shows the left-turn lane volumes at SW Parkway Avenue/Printer Parkway for the AM peak hour for the Existing, Stage II, and Project trips. The Existing volumes refer to the current volume of vehicles that turn left off SW Parkway Avenue onto Printer Parkway (private road) that represent only the traffic traveling to the current Parkway Woods developments. The Existing volumes were represented this way because there is already some level of existing, traffic-generating land uses in the Parkway Woods Business Park. Therefore, the proposed development by SKB, which is located within the greater Parkway Woods Business Park, should only be responsible for their proportion of trips relative to the other existing Parkway Woods Business Park developments.

The AM peak hour is the peak period when the southbound left-turn lane criteria is met as identified in the TIA (dated January 2023). It should be noted that while AM peak hour trips are not

⁷ City of Wilsonville Development Code, Chapter 4, Section 4.175.

⁸ Exhibit 1-14, Access Management Manual 2nd Edition, Transportation Research Board.

⁹ List of Proven Safety Countermeasures by the Federal Highway Administration and the Oregon Department of Transportation list of Crash Reduction Factors.

documented on the City’s Stage II list, the future Twist Bioscience development was identified by the City as an upcoming project that will add vehicle traffic to the nearby area and the AM peak hour trips for that in-process land use was included in this analysis and considered as “Stage II” trips. The trip distribution at SW Parkway Avenue/Printer Parkway is based on the revised TIA trip distribution and increased building square footage.

TABLE 1: SOUTHBOUND LEFT-TURN LANE VOLUMES (AM PEAK HOUR)

SCENARIO	EXISTING*	STAGE II (TWIST BIOSCIENCE ONLY)	PROJECT (PARKWAY WOODS)	TOTAL LEFT-TURN VOLUMES	PERCENT OF PARKWAY WOODS PROJECT TRIPS
SW Parkway Ave/ Printer Pkwy	47	25	13	85	15.3%

*Volume is number of vehicles that turn left off SW Parkway Avenue onto Printer Parkway (private road); ideally captures only traffic traveling to current Parkway Woods developments on Printer Parkway

LEFT-TURN LANE AT XEROX DRIVE

At the Xerox Drive intersection, the road will remain a private road even with the development of the subject property. This would make the left-turn lane at Xerox Drive an improvement that exclusively serves private development traffic destined for uses located along Xerox Drive. The existing and proposed private developments along Xerox Drive are the reason the left-turn lane at Xerox Drive is necessary. Therefore, private development should bear the full cost (100%) of the left-turn lane at Xerox Drive to mitigate safety related impacts from the existing and proposed development traffic. While not relevant to assignment of public/private responsibility, it should also be noted that the private developments that utilize Xerox Drive are owned by the same entity.

FRONTAGE IMPROVEMENTS

Section 4.177 of the Wilsonville Code requires that street improvements occur with development, including redevelopment. It is anticipated that all existing streets will require complete reconstruction to be brought up to urban standards. Development is responsible for the proportionate share associated with the half-street improvement.

SW Parkway Avenue is designated as a minor arterial as shown in Figure 3-2 of the City’s TSP. The urban standard for a minor arterial adjacent to the I-5 freeway includes buffered bike lanes on both sides of the street, two travel lanes, a center median/turn lane, a planter strip, and sidewalk east side of the right-of-way.

SW Printer Parkway is designated as a collector as shown in Figure 3-2 of the City’s TSP., which is to be dedicated to the City as a public street as development occurs. The urban standard for a collector includes sidewalks, planter strips, and bike lanes on both sides of the right-of-way, 2 travel lanes and a center median/turn lane.

SIDEWALKS AND BIKE LANES (HALF-STREET) ON SW PARKWAY AVE

SW Parkway Avenue does not have a bike lane along the frontage. There is an existing meandering sidewalk; however, it does not meet current American with Disabilities Act (ADA) requirements. The construction of new sidewalks and on-street buffered bike lanes on SW Parkway Avenue along the project frontage are to be the full (100%) responsibility of the developer based on the requirement for these facilities as identified in City Development Code 4.177(.03) and (.04), respectively.

ROADWAY (HALF-STREET) ON SW PARKWAY AVE

A proportionate share is an appropriate application for the remaining half-street roadway construction (24 feet paved width, as measured from the face of curb, minus the 8-foot buffered bike lane) along the project frontage on SW Parkway Avenue. The proportionate share should be based on the proportionate share of trips of the existing private developments on-site along with the proposed Parkway Woods Development. The calculations for this are shown in the following table and are based on PM peak hour volumes, including the revised TIA trip distribution and increased building square footage.

TABLE 2: PM PEAK HOUR VEHICLE TRIPS ON SW PARKWAY AVENUE

LOCATION	EXISTING*	STAGE II (TWIST BIOSCIENCE)	PROJECT (PARKWAY WOODS INDUSTRIAL BUILDING)	TOTAL VOLUMES	PERCENT OF PARKWAY WOODS PROJECT TRIPS
SW Parkway Avenue, north of Printer Parkway	80	43	25	148	-
SW Parkway Avenue, south of Xerox Drive	37	43	25	105	-
TOTAL	117	86	50	253	19.8%

*Volumes only represent traffic traveling to/from the current Parkway Woods developments accessed via Printer Parkway and Xerox Drive; does not include existing through traffic on SW Parkway Avenue.

For a vacant parcel that is developed within the City of Wilsonville, the City Code requires half street improvements to be fully funded and constructed by the development. However, because the proposed development by SKB is located within the greater Parkway Woods Business Park, a proportionate share based on the other existing land uses within the Parkway Woods Business Park is appropriate. Therefore, the Existing volumes on SW Parkway Avenue in the table above only represent traffic traveling to/from the current Parkway Woods developments accessed via Printer Parkway and Xerox Drive. The existing through traffic on SW Parkway Avenue is not related to the Parkway Woods Business Park and was not included in the frontage improvement calculations for this reason.

IMPROVEMENTS (HALF-STREET) ON PRINTER PARKWAY

Printer Parkway is currently a private street, not constructed to public street standards. The half-street improvements (sidewalks, bike lane, and roadway) on Printer Parkway along the project frontage are to be the full (100%) responsibility of the developer based on the requirement for the facility to comply with the City TSP and Public Work Standards.



RECOMMENDATIONS

Below is a summary of the proportionate share recommendations for transportation improvements associated with the Parkway Woods industrial building development.

- The development should pay a proportionate share of the southbound left-turn lane on SW Parkway Avenue at Printer Parkway, which will become a public street fronting the property in the relatively near future. The calculated proportionate share is 15.3% (Table 1).
- The private development should bear the full cost (100%) of the southbound left-turn lane on SW Parkway Avenue at Xerox Drive, due to it being, and remaining, a private road that is solely for private development access.
- The development should bear the full cost (100%) of the sidewalks and on-street buffered bike lanes along the project frontage on the east side of SW Parkway Avenue.
- The development should pay a proportionate share cost of the half-street roadway construction (16 feet width) along the project frontage on SW Parkway Avenue. The calculated proportionate share is 19.8% (Table 2).
- The development should bear the full cost (100%) of the half-street improvements on Printer Parkway consistent with the City TSP and Public Works standards.

Please let us know if you have any questions.

Scott Mansur

Principal, DKS Associates

Industrial Campus Trip Generation Projection (ITE)

		AM Peak			PM Peak		
	Building SF	In	Out	Total	In	Out	Total
Proposed Development	91800	50	16	66	19	43	62
Twist	100000	93	21	114	17	92	109
Other Campus SF	708000	386	123	509	147	332	478
Other Campus SF Compared to Proposed Development	7.7						
Total Build	900000	529	160	689	183	467	649
80% on Parkway		423	128	551	146	373	519

Building Square Footage Ratios

	Square Footage	% Increase to Building SF on Property	% Increase to Property Pre-2018 Partition
Proposed Development	91773	23.69	15.74
Buildings 60/61 (SKB)	387453		
Building 83 (Parkway Woods)	195523		

Developer Responsibility (All Parkway Frontage Requirements Except Left Turn Lane at Xerox Drive, Planter, and Sidewalk)

Parkway Improvements	Length	Width	Developer Portion	% Developer Responsibility	Developer Responsibility in Feet Based on Width and Percentage Responsibility
Median	925.000	12.000	5.000	0.198	0.990
NB Travel Lane	1000.000	11.000	11.000	0.198	2.178
Buffer	1000.000	2.000	2.000	0.198	0.396
Bicycle Lane	1000.000	6.000	6.000	1.000	6.000

Analysis of 925 ft of Parkway Frontage

Parkway Improvements	Developer Responsibility in Feet Based on Width and Percentage Responsibility
Median	0.990
NB Travel Lane	2.178
Buffer	0.396
Bicycle Lane	6.000
Total	9.564
Percentage of 50ft* ROW Cross-Section	19.128
Square Footage (Applied to 925 ft)	8846.700

Percentage*(925/1000)	17.693
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Analysis of 75 ft of Parkway Frontage

Parkway Improvements	Developer Responsibility in Feet Based on Width and Percentage Responsibility
NB Travel Lane	2.178
Buffer	0.396
Bicycle Lane	6.000
Total	8.574
Percentage of 50ft* ROW Cross-Section	17.148
Square Footage (Applied to 75 feet)	643.050
Total Square Footage for 1000 Ft	9489.750
Percentage Compared to Total Area of Parkway Frontage	18.980

Percentage*(75 ft/1000 ft)	1.286
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	18.980
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* Cross-Section is 50 feet in this scenario instead of the full 87-foot right-of-way because it does not include the sidewalk or planter strip area.

Developer Responsibility (All Parkway Frontage Requirements Except No Planter Strip or Sidewalk)

Parkway Improvements	Length	Width	Developer Portion	% Developer Responsibility	Developer Responsibility in Feet Based on Width and Percentage Responsibility
Median	925.000	12.000	5.000	0.198	0.990
Left Turn at Xerox Drive	75.000	12.000	12.000	1.000	12.000
NB Travel Lane	1000.000	11.000	11.000	0.198	2.178
Buffer	1000.000	2.000	2.000	0.198	0.396
Bicycle Lane	1000.000	6.000	6.000	1.000	6.000

Analysis of 925 ft of Parkway Frontage

Parkway Improvements	Developer Responsibility in Feet Based on Width and Percentage Responsibility
Median	0.990
NB Travel Lane	2.178
Buffer	0.396
Bicycle Lane	6.000
Total	9.564
Percentage of 50ft* ROW Cross-Section	19.128
Square Footage (Applied to 925 ft)	8846.700

Percentage*(925/1000)	17.693
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Analysis of 75 ft of Parkway Frontage

Parkway Improvements	Developer Responsibility in Feet Based on Width and Percentage Responsibility
Left Turn Lane	12.000
NB Travel Lane	2.178
Buffer	0.396
Bicycle Lane	6.000
Total	20.574
Percentage of 50ft* ROW Cross-Section	41.148
Square Footage (Applied to 75 feet)	1543.050
Total Square Footage for 1000 Ft	10389.750
Percentage Compared to Total Area of Parkway Frontage	20.780

Percentage*(75 ft/1000 ft)	3.086
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20.780

* Cross-Section is 50 feet in this scenario instead of the full 87-foot right-of-way because it does not include the sidewalk or planter strip area.

Developer Responsibility (All Parkway Frontage Requirements Except Left Turn Lane at Xerox Drive)

Parkway Improvements	Length	Width	Developer Portion	% Developer Responsibility	Developer Responsibility in Feet Based on Width and Percentage Responsibility
Median	925.000	12.000	5.000	0.198	0.990
NB Travel Lane	1000.000	11.000	11.000	0.198	2.178
Buffer	1000.000	2.000	2.000	0.198	0.396
Bicycle Lane	1000.000	6.000	6.000	1.000	6.000
Planter	1000.000	6.500	6.500	1.000	6.500
Sidewalk	1000.000	5.000	5.000	1.000	5.000

Analysis of 925 ft of Parkway Frontage

Parkway Improvements	Developer Responsibility in Feet Based on Width and Percentage Responsibility
Median	0.990
NB Travel Lane	2.178
Buffer	0.396
Bicycle Lane	6.000
Planter	6.500
Sidewalk	5.000
Total	21.064
Percentage of 87ft ROW Cross-Section	24.211
Square Footage (Applied to 925 ft)	19484.200

Percentage*(925/1000)	22.396
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Analysis of 75 ft of Parkway Frontage

Parkway Improvements	Developer Responsibility in Feet Based on Width and Percentage Responsibility
Left Turn Lane	
NB Travel Lane	2.178
Buffer	0.396
Bicycle Lane	6.000
Planter	6.500
Sidewalk	5.000
Total	20.074
Percentage of 87ft ROW Cross-Section	23.074
Square Footage (Applied to 75 feet)	1505.550
Total Square Footage for 1000 Ft	20989.750
Percentage Compared to Total Area of Parkway Frontage	24.126

Percentage*(75 ft/1000 ft)	1.731
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24.126

Developer Responsibility (All Parkway Frontage Requirements)

Parkway Improvements	Length	Width	Developer Portion	% Developer Responsibility	Developer Responsibility in Feet Based on Width and Percentage Responsibility
Median	925.000	12.000	5.000	0.198	0.990
Left Turn at Xerox Drive	75.000	12.000	12.000	1.000	12.000
NB Travel Lane	1000.000	11.000	11.000	0.198	2.178
Buffer	1000.000	2.000	2.000	0.198	0.396
Bicycle Lane	1000.000	6.000	6.000	1.000	6.000
Planter	1000.000	6.500	6.500	1.000	6.500
Sidewalk	1000.000	5.000	5.000	1.000	5.000

Analysis of 925 ft of Parkway Frontage

Parkway Improvements	Developer Responsibility in Feet Based on Width and Percentage Responsibility
Median	0.990
NB Travel Lane	2.178
Buffer	0.396
Bicycle Lane	6.000
Planter	6.500
Sidewalk	5.000
Total	21.064
Percentage of 87ft ROW Cross-Section	24.211
Square Footage (Applied to 925 ft)	19484.200

Percentage*(925/1000)	22.396
-----------------------	--------

Analysis of 75 ft of Parkway Frontage

Parkway Improvements	Developer Responsibility in Feet Based on Width and Percentage Responsibility
Left Turn Lane	12.000
NB Travel Lane	2.178
Buffer	0.396
Bicycle Lane	6.000
Planter	6.500
Sidewalk	5.000
Total	32.074
Percentage of 87ft ROW Cross-Section	36.867
Square Footage (Applied to 75 feet)	2405.550
Total Square Footage for 1000 Ft	21889.750
Percentage Compared to Total Area of Parkway Frontage	25.161

Percentage*(75 ft/1000 ft)	2.765
----------------------------	-------

	25.161
--	--------

TIA Jan 2023 Vol-to-Capacity and Delay

	Existing + Stage II PM		Existing + Stage II + Project		Percent Change	
	V/C	Delay	V/C	Delay	V/C	Delay
Printer Parkway/ Parkway	0.12	19	0.15	20	25.00	5.26
Xerox Drive/ Parkway	0.12	18.8	0.17	20	41.67	6.38
Elligsen Road/ Parkway Center Drive	0.42	18.2	0.43	18.6	2.38	2.20
Boeckman Road/ Parkway Avenue	0.87	28.6	0.88	29.8	1.15	4.20

25
10
20
5p
After Recording Return To:
City of Wilsonville
Attn: Michael E. Kohlhoff
30000 SW Town Center Loop E
Wilsonville, OR 97070

SIDEWALK EASEMENT
Grantor- Corporation

KNOW ALL MEN BY THESE PRESENTS, that, TEKTRONIX, INC., hereinafter referred to as "Grantor", for the consideration hereinafter stated, does hereby grant unto the CITY OF WILSONVILLE, OREGON, a municipal corporation, hereinafter referred to as "Grantee", an easement for a sidewalk over and across the following described real property ("Easement Strip"), to-wit:

1. Legal description is set forth in EXHIBIT "A" attached hereto, and incorporated by reference herein.
2. A map of the above legal description is also set forth in EXHIBIT "A" and incorporated by reference herein.

In the event the Easement Strip shall no longer be used for a public sidewalk, the easement shall revert back to the Grantor, its successors and/or assigns; and

TO HAVE AND TO HOLD the above described permanent easement unto said Grantee in accordance with the conditions and covenants as follows:

1. The Grantee, through its officers, employees and agents, shall have the right to enter upon said Easement Strip in such a manner and at such times from this date as may be reasonably necessary for the purpose of constructing, building, patrolling, replacing and maintaining thereon a public sidewalk. Said right shall be perpetual for so long as Grantee shall utilize the Easement Strip for a public sidewalk.
2. Immediately after any construction or repair of said sidewalk the surface of the ground shall be restored equal to its original condition so that the Grantor and its successors and/or assigns shall have the free and unobstructed use thereof, subject to rights of Grantee herein provided.
3. Grantee will make no unreasonable interference with such use of the surface of said land by Grantor and its successors and/or assigns.
4. Grantor and its successors and/or assigns will not be responsible for damage by others to said sidewalk.
5. Grantee will indemnify and hold harmless the Grantor, its successors and/or assigns from claims of injury to person or property as a result of the acts or omissions of the Grantee, its agents, contractors or employees in the construction, operation, use or maintenance of said easement. Grantee also agrees to indemnify and save Grantor harmless from any loss, cost, claim or liability arising in any manner out of use of the easement by Grantee, its employees, agents or contractors.
6. Grantor reserves the right to relocate the sidewalk at Grantor's discretion and expense.
7. In the event Grantee constructs a public sidewalk along the East side portion of Parkway fronting Grantor's property as part of a road widening or improvement project, this easement shall automatically terminate without further act of the parties.

99-027235

The true and actual consideration for this easement stated in terms of dollars is \$0.00. However, the actual and whole consideration consists of other promises given.

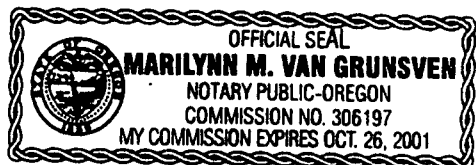
IN WITNESS WHEREOF, the undersigned grantor has executed this easement, this 10th day of February, 1999.

GRANTOR: TEKTRONIX, INC.
By: Barbara Block
Barbara Block
Title: Vice President Administrative Services

STATE OF OREGON)
County of Washington) ss

On this 10th day of February, 1999, before me, a notary public in and for said County and State, personally appeared Barbara Block known to me to be the person whose name is subscribed to the within instrument Sidewalk Easement and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WEREOF, I have hereunto set my hand and official seal on the day and year above written.

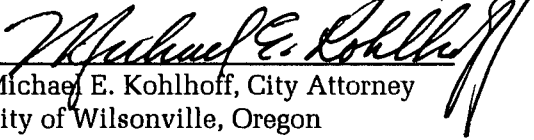


Marilynn M. Van Grunsven
NOTARY PUBLIC FOR OREGON

My Commission Expires: 10/26/01


APPROVED AS TO FORM

this 26 day of February, 1999


Michael E. Kohlhoff, City Attorney
City of Wilsonville, Oregon

APPROVED AS TO LEGAL DESCRIPTION

this 26th day of February, 1999


Mike Stone, P.E., City Engineer
City of Wilsonville, Oregon

ACCEPTED on behalf of the City of Wilsonville, Oregon

this 17 day of March, 1999.


Arlene Loble, City Manager

ATTESTED TO:


Sandra C. King, City Recorder

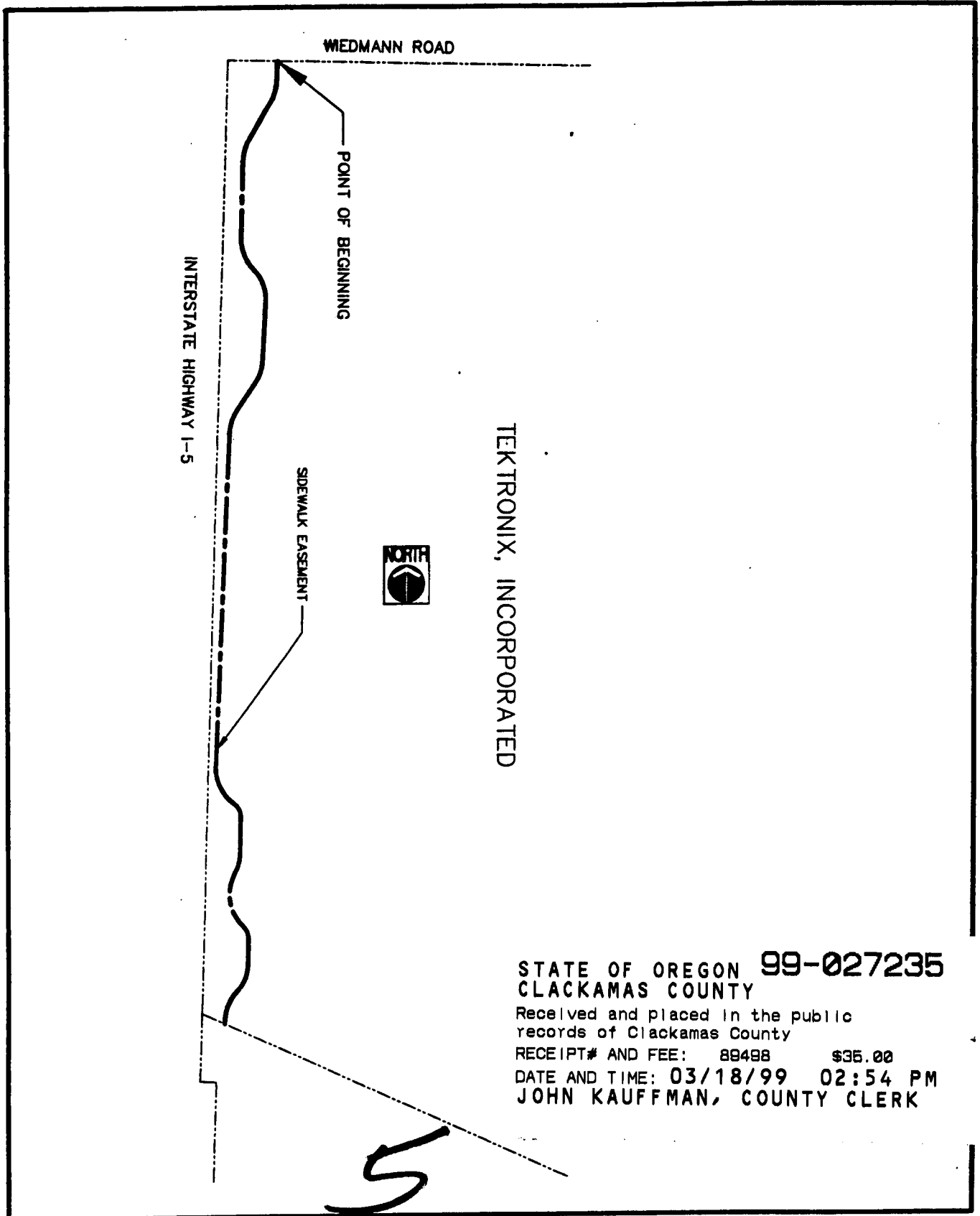
March 17, 1999
Date:

**EXHIBIT A
SIDEWALK EASEMENT**

A strip of land ten (10.00) feet in width situated in the East one-half of Section 11, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, and being a portion of that certain property as described in Document Number 7414522 recorded May 31, 1974, Clackamas County Deed Records, lying five (5.00) feet on each side of the following described centerline:

Commencing at the intersection of the easterly right of way line of Interstate Highway 5 as shown on the Oregon State Highway Division Map of Pacific and Wilsonville Hubbard Highways, Washington County Line to Marion County Line, Section Map 1A-8-7 with the southerly line of a tract of land conveyed to Clackamas County by Deed recorded as Book 416, Page 602, Clackamas County Deed Records, said Clackamas County tract being known as Weidmann Road; thence S.88°47'20"E., along said southerly line 71.59 feet to the True Point of Beginning of the herein described strip; thence S.02°54'56"W., 29.77 feet; thence along the arc of a 57.50 foot radius curve right, through a central angle of 30°34'07" an arc length of 30.68 feet (the long chord of which bears S.18°12'00"W., 30.31 feet); thence S.33°29'03"W., 52.04 feet; thence along the arc of a 62.50 foot radius curve left, through a central angle of 32°15'14", an arc length of 35.18 feet (the long chord of which bears S.17°21'26"W., 34.72 feet); thence S.01°13'49"W., 108.23 feet; thence along the arc of a 62.50 foot radius curve left, through a central angle of 46°28'48", an arc length of 50.70 feet (the long chord of which bears S.22°00'36"E., 49.32 feet) to a point of reverse curvature; thence along the arc of a 57.50 foot radius curve right, through a central angle of 48°09'56", an arc length of 48.34 feet (the long chord of which bears S.21°10'02"E., 46.93 feet); thence S.02°54'56"W., 87.48 feet; thence along the arc of a 57.50 foot radius curve right, through a central angle of 31°20'42" an arc length of 31.46 feet (the long chord of which bears S.18°35'17"W., 31.07 feet); thence S.34°15'38"W., 47.45 feet; thence along the arc of a 62.50 foot radius curve left, through a central angle of 31°54'38", an arc length 34.81 feet (the long chord of which bears S.18°18'20"W., 34.36 feet); thence S.02°21'02"W., 479.44 feet; thence along the arc of a 62.50 foot radius curve left, through a central angle of 57°14'10" an arc length of 62.43 feet (the long chord of which bears S.26°16'03"E., 59.87 feet) to a point of reverse curvature; thence along the arc of a 22.50 foot radius curve right, through a central angle of 56°10'10" an arc length of 22.06 feet (the long chord of which bears S.26°48'03"E., 21.18 feet); thence S.01°17'01"W., 53.00 feet; thence along the arc of a 57.50 foot radius curve right, through a central angle of 28°02'17" an arc length of 28.14 feet (the long chord of which bears S.15°18'10"W., 27.86 feet) to a point of reverse curvature; thence along the arc of a 62.50 foot radius curve left, through a central angle of 76°37'07" an arc length of 83.58 feet (the long chord of which bears S.08°59'16"E., 77.49 feet) to a point of reverse curvature; thence along the arc of a 22.50 foot radius curve right, through a central angle of 48°34'50" an arc length of 19.08 feet (the long chord of which bears S.23°00'24"E., 18.51 feet); thence S.01°17'01"W., 37.99 feet; thence along the arc of 57.50 foot radius curve right, through a central angle of 42°43'56" an arc length of 42.88 feet (the long chord of which bears S.22°38'59"W., 41.90 feet) to a point of reverse curvature; thence along the arc of a 62.50 foot radius curve left, through a central angle of 46°17'24" an arc length of 50.49 feet (the long chord of which bears S.20°52'14"W., 49.13 feet) to the point of terminus of the herein described strip.

The sidelines of the herein described strip shall be extended northerly and southerly to intersect with the boundary lines of the Tektronix, Inc. property.



STATE OF OREGON 99-027235
 CLACKAMAS COUNTY
 Received and placed in the public
 records of Clackamas County
 RECEIPT# AND FEE: 89488 \$35.00
 DATE AND TIME: 03/18/99 02:54 PM
 JOHN KAUFFMAN, COUNTY CLERK

EXHIBIT B
 SIDEWALK EASEMENT **S**
 SECTION 11, T.3S., R.1W., W.M.

CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

otak
 incorporated

surveyors
 engineers
 planners

17355 S.W. BOONES FERRY ROAD
 LAKE OSWEGO, OREGON 97035
 (503)635-3618 FAX (503)635-5395

PARTITION PLAT NO. 2015-083

NE1/4 AND SE1/4 SECTION 11,
NW1/4 AND SW1/4 SECTION 12,
T.3S., R.1W., W.M.
CITY OF WILSONVILLE
CLACKAMAS COUNTY, OREGON
SURVEYED APRIL 16, 2015
SHEET 1 OF 3



LEGEND

- DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "1 METER LS 1268" FOUND AND HELD FROM SN 22941 UNLESS OTHERWISE NOTED
- ⊙ DENOTES 1-1/8" BRASS DISC INSCRIBED "TEAK INC." FOUND AND HELD FROM SN 27725 UNLESS OTHERWISE NOTED
- ⊙ DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "TEAK INC." FOUND AND HELD FROM SN 27725
- DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "TEAK INC." INSIDE A MONUMENT BOX FOUND AND HELD FROM SN 27725
- DENOTES 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "OTAK INC." SET ON SEPTEMBER 15, 2015.
- ⊙ DENOTES 1" BRASS DISC INSCRIBED "OTAK INC." SET ON SEPTEMBER 15, 2015
- YPC DENOTES YELLOW PLASTIC CAP
- DOC. NO. DENOTES DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS
- CITY DENOTES CITY OF WILSONVILLE
- SN DENOTES PRIVATE SURVEY, CLACKAMAS COUNTY SURVEY RECORDS
- PP DENOTES PARTITION PLAT, CLACKAMAS COUNTY SURVEY RECORDS
- R1 DENOTES SN 22941
- R2 DENOTES SN 27725
- R3 DENOTES SN 2010-061
- R4 DENOTES PP 2005-032
- R5 DENOTES PP 2002-047

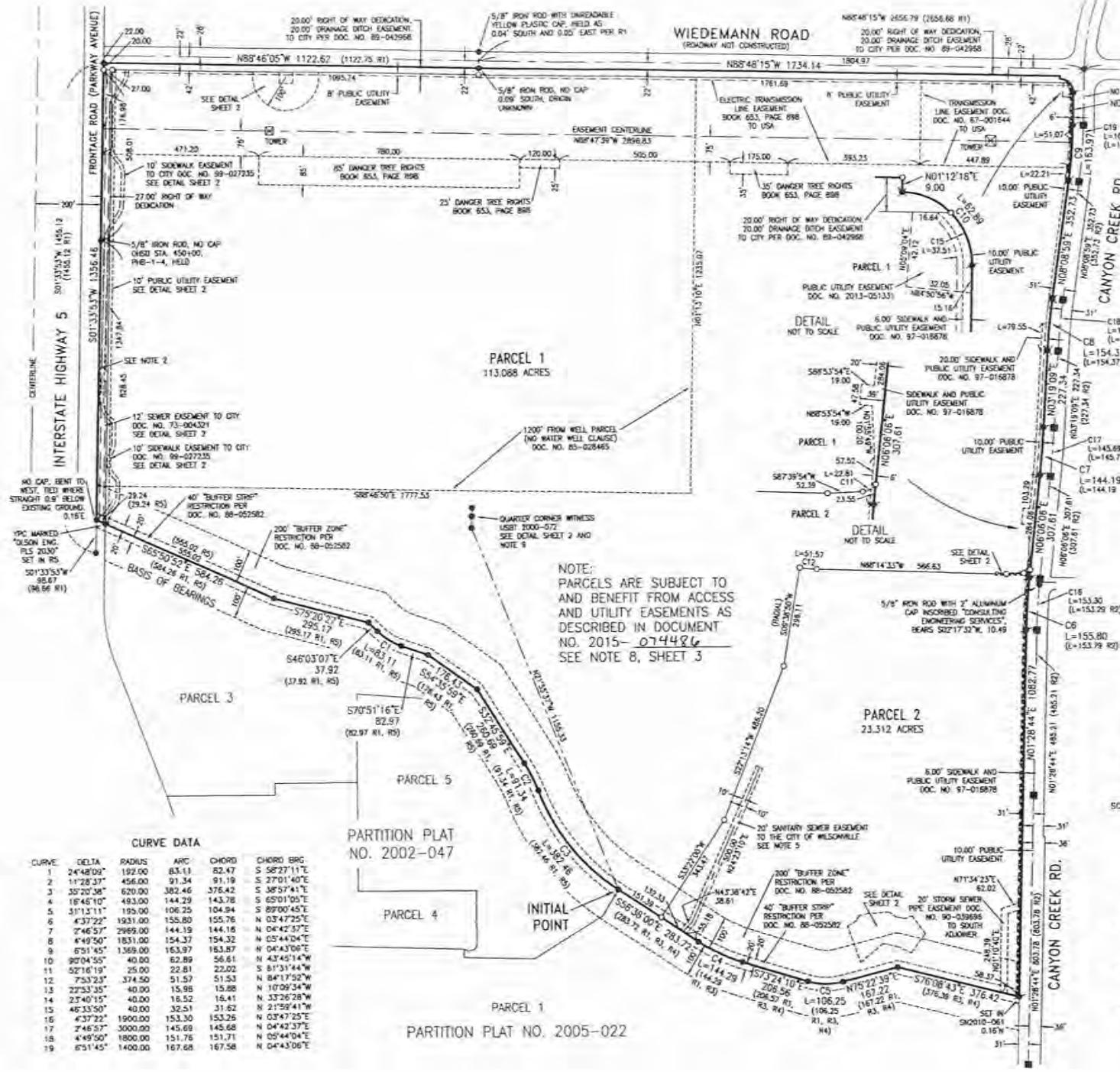


SCALE: 1"=200'

LEGEND

- SHEET 1 BOUNDARY EASEMENTS CURVE DATA LEGEND
- SHEET 2 EASEMENT DETAILS NARRATIVE SURVEYOR'S CERTIFICATE CURVE DATA
- SHEET 3 DECLARATION ACKNOWLEDGMENT APPROVALS NOTES AND PLAT RESTRICTIONS

REGISTERED PROFESSIONAL LAND SURVEYOR
Gary E. Paul
OREGON
JANUARY 17, 1995
GARY E. PAUL
2008
RENEWAL 12/31/2016



CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	CHORD BEG.	CHORD END
1	244°08'	192.00	83.11	82.47	S 587°11'E	S 272°11'E
2	11°28'37"	456.00	91.34	91.19	S 27°01'40"E	S 27°01'40"E
3	35°20'38"	620.00	382.46	376.42	S 38°57'41"E	S 38°57'41"E
4	18°45'10"	493.00	144.29	143.78	S 65°01'05"E	S 65°01'05"E
5	31°13'11"	199.00	106.23	104.94	S 87°00'45"E	S 87°00'45"E
6	43°37'28"	1931.00	155.80	155.76	N 03°47'25"E	N 03°47'25"E
7	2°46'57"	2969.00	144.19	144.18	N 04°42'37"E	N 04°42'37"E
8	6°49'50"	1831.00	154.37	154.32	N 05°44'04"E	N 05°44'04"E
9	6°51'45"	1369.00	163.97	163.87	N 04°43'09"E	N 04°43'09"E
10	90°04'55"	40.00	82.89	56.61	N 43°45'14"W	N 43°45'14"W
11	52°16'19"	25.00	22.81	22.02	S 81°31'44"W	S 81°31'44"W
12	7°53'23"	374.50	51.57	51.53	N 84°17'52"W	N 84°17'52"W
13	22°53'35"	40.00	15.98	15.88	N 10°09'34"W	N 10°09'34"W
14	23°40'15"	40.00	16.52	16.41	N 33°26'28"W	N 33°26'28"W
15	46°33'50"	40.00	32.51	31.62	N 21°52'41"W	N 21°52'41"W
16	4°37'22"	1600.00	153.30	153.25	N 03°47'25"E	N 03°47'25"E
17	2°46'57"	3000.00	145.69	145.68	N 04°42'37"E	N 04°42'37"E
18	4°49'50"	1800.00	151.76	151.71	N 05°44'04"E	N 05°44'04"E
19	6°51'45"	1400.00	167.68	167.58	N 04°43'09"E	N 04°43'09"E

PARTITION PLAT NO. 2015-083

NE1/4 AND SE1/4 SECTION 11, NW1/4 AND SW1/4 SECTION 12, T.3S., R.1W., W.M.
CITY OF WILSONVILLE
CLACKAMAS COUNTY, OREGON

SURVEYED APRIL 16, 2015
SHEET 2 OF 3



CURVE DATA					
CURVE	DELTA	RADIUS	ARC	CHORD	CHORD BEG
20	46°17'24"	62.50	50.49	49.13	N 20°52'05"E
21	42°43'55"	57.50	42.88	41.90	N 27°38'50"E
22	48°34'50"	22.50	19.08	18.51	N 23°00'33"W
23	76°37'03"	62.50	63.56	77.49	N 08°59'25"W
24	28°02'17"	57.50	28.14	27.86	N 15°18'01"E
25	56°10'08"	22.50	21.06	21.18	N 26°48'12"W
26	57°14'09"	62.50	62.43	59.87	N 26°16'12"W
27	31°54'36"	62.50	34.80	34.36	N 18°18'11"E
28	31°30'42"	57.50	31.46	31.27	N 18°35'00"E
29	48°09'56"	57.50	48.34	46.93	N 21°10'11"W
30	45°26'49"	62.50	50.70	49.32	N 22°00'45"W
31	32°15'14"	62.50	35.18	34.72	N 17°21'17"E
32	30°34'07"	57.50	30.68	30.32	N 18°11'51"E
33	21°30'00"	25.00	9.38	9.33	S 46°08'33"W
34	50°48'19"	25.00	13.43	13.26	S 72°18'45"W
35	24°11'25"	29.50	12.45	12.36	S 75°48'46"W

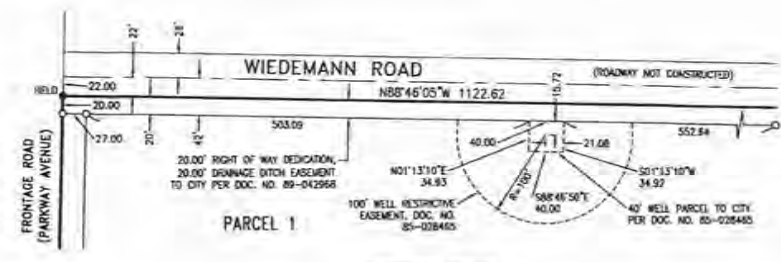
NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE TWO PARCELS FROM THAT TRACT OF LAND CONVEYED TO XEROX CORPORATION AND DESCRIBED IN THE WARRANTY DEED RECORDED JANUARY 3, 2000, AS FEE NO. 2000-000156, CLACKAMAS COUNTY RECORDS. THE BASIS OF BEARINGS FOR THIS SURVEY (S65°50'52"E) IS THE WESTERLY NORTH LINE OF PARCEL 1, PARTITION PLAT NO. 2000-069, CLACKAMAS COUNTY PLAT RECORDS.

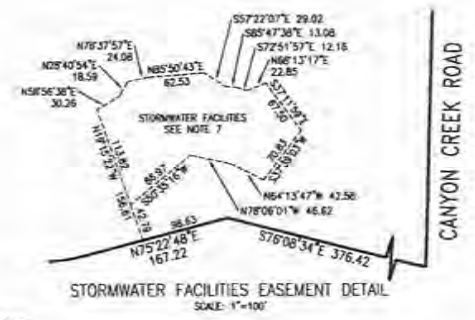
I HELD THE RECOVERED MONUMENTS AND RECORD DATA FROM ORIGINAL SURVEY NO. 22941 TO ESTABLISH THE SOUTH LINES OF THE SURVEYED PARCEL. THE SOUTHERLY ADJOINER'S LINE DESCRIBED IN THE DEED RECORDED AS DOCUMENT NO. 88-52581 IS CONSISTENT WITH THE DATA SHOWN ON SURVEY NO. 22941. THE CANYON CREEK ROAD DEDICATION DESCRIBED IN DOCUMENT NO. 97-018879 IS BASED ON AND GRAPHICALLY DEPICTED IN ORIGINAL SURVEY NO. 27725. I HELD THE RECOVERED CENTERLINE AND RIGHT OF WAY MONUMENTS ESTABLISHED IN SAID SURVEY AND RECORD DATA FROM DOCUMENT NO. 97-018879 TO ESTABLISH THE CANYON CREEK ROAD RIGHT OF WAY. THE COMMENCEMENT OF INTERSTATE 5 RIGHT OF WAY LINE IN BOOK 448, PAGE 333 IS DESCRIBED AS BEING 200 FEET EASTERLY OF THE DESCRIBED CENTERLINE. SURVEY NO. 1970-031 (HIGHWAY DRAWING NO. 1A-8-7) CALLS FOR A FOUND PIN ALONG THE EASTERLY RIGHT OF WAY LINE AT STATION 450+00. THIS MONUMENT IS SHOWN ON SURVEY NO. 22941 AS A FOUND 5/8" IRON ROD. I HELD THIS RECOVERED IRON ROD AND DEPENDANT MONUMENTS ESTABLISHED IN SURVEY NO. 22941 ALONG THE EASTERLY RIGHT OF WAY LINE NORTHERLY AND SOUTHERLY OF THE SITE TO ESTABLISH THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 5. THE DEDICATION OF WIEDEMANN ROAD IN BOOK 416, PAGE 602, IS DESCRIBED AS 28.00 FEET NORTH AND 22.00 FEET SOUTH OF THE EAST AND WEST DIVISION LINE THROUGH THE CENTER OF THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 11 AND THE NORTHWEST ONE-QUARTER OF SECTION 12. THIS EAST AND WEST DIVISION LINE IS SHOWN ON SURVEY NO. 22941 AND WAS ESTABLISHED BY HOLDING THE RECOVERED CENTERLINE 1-1/4 INCH AXLE EAST OF THE SITE WITH ITS RECORD FALLINGS FROM SURVEY NO. 22941; THE RECOVERED CENTERLINE BRASS DISC FROM SURVEY NO. 27725; THE RECOVERED IRON ROD AT THE ANGLE POINT IN THE NORTH RIGHT OF WAY LINE WITH ITS RECORD FALLINGS FROM SURVEY NO. 22941; AND THE RECOVERED IRON ROD AT THE INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 5 AS BEING 22.00 SOUTH OF SAID DIVISION LINE. I HELD SAID BOOK 416, PAGE 602 OFFSET DIMENSIONS FROM THE DIVISION LINE TO ESTABLISH THE NORTH AND SOUTH RIGHT OF WAY LINES OF WIEDEMANN ROAD.



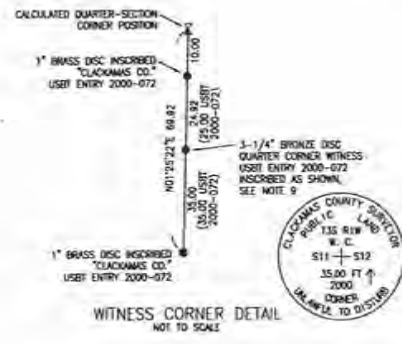
- ### LEGEND
- DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "M. MEYER LS 1264" FOUND AND HELD FROM SN 22941 UNLESS OTHERWISE NOTED
 - DENOTES 1-1/8" BRASS DISC INSCRIBED "TEA INC." FOUND AND HELD FROM SN 27725
 - DENOTES 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "OTAK INC." SET ON SEPTEMBER 15, 2015.
 - DENOTES 1" BRASS DISC INSCRIBED "OTAK INC." SET ON SEPTEMBER 15, 2015.
 - SN DENOTES PRIVATE SURVEY, CLACKAMAS COUNTY SURVEY RECORDS
 - DOC. NO. DENOTES DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS
 - CITY DENOTES CITY OF WILSONVILLE



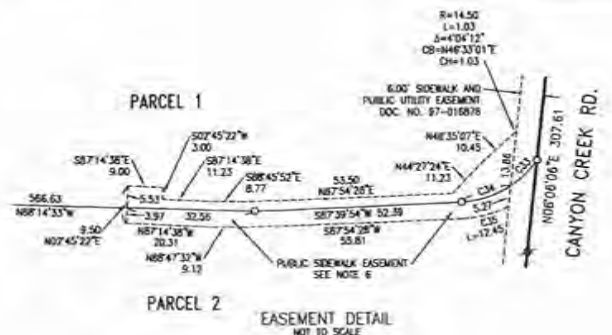
EASEMENT DETAIL
SCALE: 1"=100'



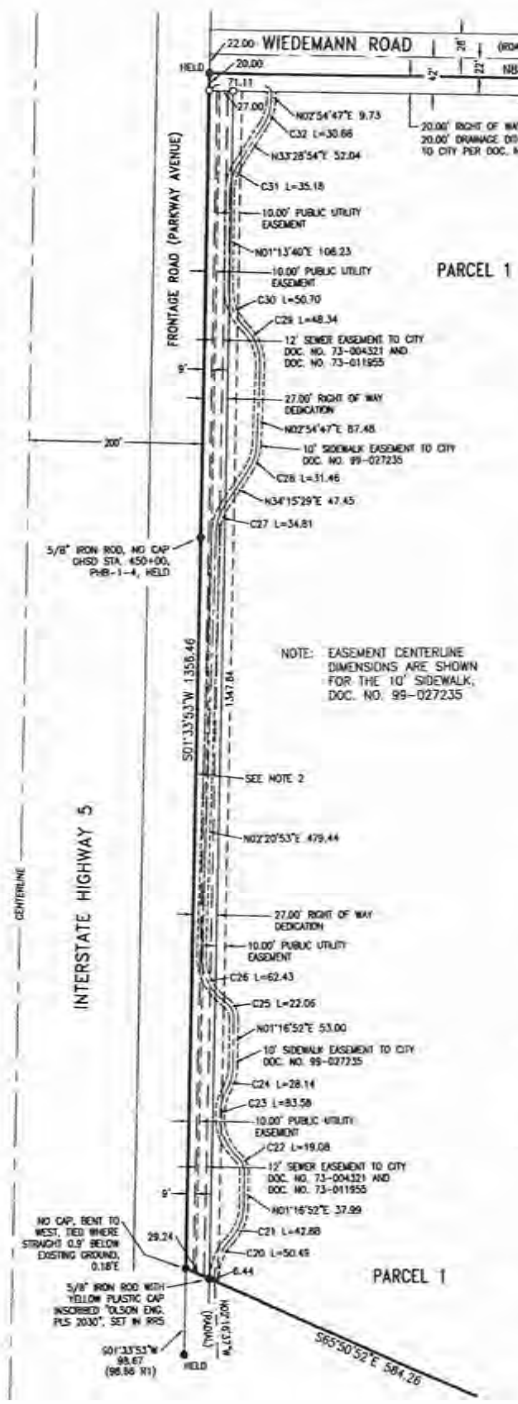
STORMWATER FACILITIES EASEMENT DETAIL
SCALE: 1"=100'



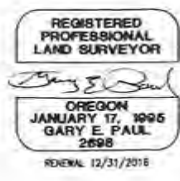
WITNESS CORNER DETAIL
NOT TO SCALE



EASEMENT DETAIL
NOT TO SCALE



NOTE: EASEMENT CENTERLINE DIMENSIONS ARE SHOWN FOR THE 10' SIDEWALK, DOC. NO. 99-027235



DECLARATION

KNOWN ALL PERSONS BY THESE PRESENTS THAT XEROX CORPORATION, A NEW YORK CORPORATION, DOES HEREBY MAKE, ESTABLISH AND DECLARE THE ANNEXED PARTITION PLAT AS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE TO BE A TRUE AND CORRECT MAP AND PLAT THEREOF, AND HAS CAUSED THE PARTITION TO BE PREPARED AND THE PROPERTY PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 52, OREGON REVISED STATUTES, AND IT DOES HEREBY DEDICATE TO THE PUBLIC AS PUBLIC WAYS FOREVER, THE RIGHTS-OF-WAY AS SHOWN ON SAID PLAT, AND IT DOES HEREBY GRANT ALL EASEMENTS NOT PREVIOUSLY GRANTED OR CONVEYED AS SHOWN OR NOTED ON SAID MAP. THIS PLAT IS SUBJECT TO ALL RESTRICTIONS NOTED ELSEWHERE ON THIS PLAT.

XEROX CORPORATION, A NEW YORK CORPORATION BY: DAVID PIERSON VICE PRESIDENT CORPORATE REAL ESTATE, GLOBAL PROJECTS

ACKNOWLEDGEMENT

STATE OF CONNECTICUT

COUNTY OF FAIRFIELD SS (NORWALK)

ON THIS 13th DAY OF October 2015, BEFORE ME, DAVID PIERSON, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED DAVID PIERSON, WHO ACKNOWLEDGED HIMSELF TO BE THE VICE PRESIDENT CORPORATE REAL ESTATE, GLOBAL PROJECTS, OF XEROX CORPORATION, AND THAT HE AS SUCH VICE PRESIDENT CORPORATE REAL ESTATE, GLOBAL PROJECTS, BEING AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF THE CORPORATION BY HIMSELF AS VICE PRESIDENT CORPORATE REAL ESTATE, GLOBAL PROJECTS.

IN WITNESS WHEREOF I HEREBY SET MY HAND.

M. Rhee SIGNATURE OF NOTARY

DATE COMMISSION EXPIRES: September 30, 2019

Maudet Rhee PRINTED NAME OF NOTARY

NOTES AND PLAT RESTRICTIONS

- 1. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN THE CITY OF WILSONVILLE DEVELOPMENT REVIEW BOARD RESOLUTION NO. 0915-0031.
2. THIS PLAT IS SUBJECT TO THE RELINQUISHMENT OF ACCESS PROVISIONS IN FAVOR OF THE STATE OF OREGON RESERVING ALL ACCESS RIGHTS BETWEEN THE DESCRIBED TRACT AND THE STATE HIGHWAY PER BOOK 449, PAGE 333, AND BOOK 454, PAGE 434, CLACKAMAS COUNTY DEED RECORDS.
3. PORTIONS OF THIS PLAT ARE SUBJECT TO A CITY OF WILSONVILLE ACCESS EASEMENT FOR STORMWATER FACILITY MAINTENANCE AS DESCRIBED IN PARCEL B OF DOCUMENT NO. 2008-070409, CLACKAMAS COUNTY DEED RECORDS.
4. THE CITY OF WILSONVILLE SEWER EASEMENT DESCRIBED IN DOCUMENT NO. 73-011953, CLACKAMAS COUNTY DEED RECORDS, LIES OUTSIDE THE BOUNDARIES OF THIS PLAT.
5. THIS PLAT IS SUBJECT TO THE APPLICABLE CONDITIONS A SANITARY SEWER PIPELINE EASEMENT AGREEMENT AS RECORDED IN DOCUMENT NO. 2015-074485, CLACKAMAS COUNTY RECORDS.
6. THIS PLAT IS SUBJECT TO THE APPLICABLE CONDITIONS A SIDEWALK EASEMENT AGREEMENT RECORDED IN DOCUMENT NO. 2015-074473, CLACKAMAS COUNTY RECORDS.
7. THIS PLAT IS SUBJECT TO A CITY OF WILSONVILLE RIGHT OF ENTRY OVER ITS ENTIRETY FOR ACCESS TO THE STORMWATER FACILITIES EASEMENT FOR INSPECTION AND MAINTENANCE OF SAID FACILITIES THEREIN AS RECORDED IN DOCUMENT NO. 2015-074464, CLACKAMAS COUNTY DEED RECORDS.
8. THIS PLAT IS SUBJECT TO THE APPLICABLE CONDITIONS OF THE DECLARATION OF UTILITY, FIRE PROTECTION, COMMUNICATION AND RECIPROCAL ACCESS EASEMENTS AS RECORDED IN DOCUMENT NO. 2015-074486, CLACKAMAS COUNTY DEED RECORDS, AND SUBJECT TO EASEMENTS PER ARTICLE (2.1) DECLARATION OF RECIPROCAL ACCESS EASEMENT, (3.1) DECLARATION OF UTILITY EASEMENT, (4.1) DECLARATION OF COMMUNICATIONS EASEMENT, (5.1) DECLARATION OF FIRE PROTECTION EASEMENT.
9. THE PUBLIC LAND SURVEY MONUMENT REFERENCE MONUMENTS (ACCESSORIES) NOTED HEREON MUST BE PROTECTED AND PRESERVED AT ALL TIMES. THAT MONUMENT IS A 3-1/4" BRONZE DISC WITNESS CORNER TO THE QUARTER CORNER COMMON TO SECTIONS 11 AND 12 OF T.3S., R.1W., W.M. AS NOTED IN DOCUMENT NO. 2000-0722, ACCESS DOWD AND ACROSS PARCEL 1 FOR SURVEY PURPOSES SHALL BE ALLOWED AT ALL TIMES, PURSUANT TO ORS 672.047, PROVIDED THAT NOTICE IS GIVEN TO THE OWNERS OF RECORD OR OCCUPANTS.
10. THIS PLAT IS SUBJECT TO THE APPLICABLE CONDITIONS TEMPORARY PERMIT AND RIGHT OF ENTRY AGREEMENT AS RECORDED IN DOCUMENT NO. 2015-074487, CLACKAMAS COUNTY RECORDS.

SURVEYOR'S CERTIFICATE

I GARY E. PAUL HEREBY SAY THAT I HAVE CORRECTLY SURVEYED THE LANDS REPRESENTED ON THE ANNEXED PARTITION PLAT LOCATED IN THE NORTHEAST AND SOUTHEAST ONE-QUARTERS OF SECTION 11 AND THE NORTHWEST AND SOUTHWEST ONE-QUARTERS OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, THAT AT THE INITIAL POINT OF SAID SURVEY I FOUND AND HELD A 5/8-INCH WOOD ROD WITH A YELLOW PLASTIC CAP INSCRIBED "B. MEYER LS 1256", SAID POINT BEING THE MOST NORTHERLY CORNER OF ADJOINING PARCEL 1, PARTITION PLAT NO. 2005-022, CLACKAMAS COUNTY PLAT RECORDS FROM SAID POINT I TRACED THE NORTHERLY BOUNDARY OF SAID PARTITION PLAT NO. 2005-022 ALONG THE FOLLOWING COURSES: 5.5638'00"E., A DISTANCE OF 283.72 FEET TO THE POINT OF CURVE LEFT OF A 493.00 FOOT RADIUS CURVE, THENCE ALONG THE ARC OF SAID CURVE LEFT THROUGH A CENTRAL ANGLE OF 154°45'10", A DISTANCE OF 144.29 FEET (CHORD BEARS S.65°01'00"E., A DISTANCE OF 143.78 FEET); THENCE S.7°24'10"E., A DISTANCE OF 209.36 FEET TO THE POINT OF CURVE LEFT OF A 195.00 FOOT RADIUS CURVE, THENCE ALONG THE ARC OF SAID CURVE LEFT THROUGH A CENTRAL ANGLE OF 31°13'11", A DISTANCE OF 106.25 FEET (CHORD BEARS S.69°00'45"E., A DISTANCE OF 104.94 FEET); THENCE N.75°22'39"E., A DISTANCE OF 157.32 FEET; THENCE S.74°08'43"E., A DISTANCE OF 376.42 FEET TO WEST RIGHT OF WAY LINE OF DANFORD CREEK ROAD AS DEDICATED IN DOCUMENT NO. 97-018979, CLACKAMAS COUNTY DEED RECORDS; THENCE TRACING SAID WEST RIGHT OF WAY LINE ALONG THE FOLLOWING COURSES: N.01°28'44"E., A DISTANCE OF 1,082.77 FEET TO THE POINT OF CURVE RIGHT OF A 1,921 FOOT RADIUS CURVE, THENCE ALONG THE ARC OF SAID CURVE RIGHT THROUGH A CENTRAL ANGLE OF 4°37'22", A DISTANCE OF 158.80 FEET (CHORD BEARS N.03°47'25"E., A DISTANCE OF 155.76 FEET); THENCE N.05°05'05"E., A DISTANCE OF 207.61 FEET TO THE POINT OF CURVE LEFT OF A 2,989.00 FOOT RADIUS CURVE, THENCE ALONG THE ARC OF SAID CURVE LEFT THROUGH A CENTRAL ANGLE OF 2°46'57", A DISTANCE OF 144.19 FEET (CHORD BEARS N.04°42'37"E., A DISTANCE OF 144.18 FEET); THENCE N.03°19'09"E., A DISTANCE OF 227.34 FEET TO THE POINT OF CURVE RIGHT OF A 1,851.00 FOOT RADIUS CURVE, THENCE ALONG THE ARC OF SAID CURVE RIGHT THROUGH A CENTRAL ANGLE OF 4°49'50", A DISTANCE OF 154.37 FEET (CHORD BEARS N.02°44'04"E., A DISTANCE OF 154.32 FEET); THENCE N.08°08'59"E., A DISTANCE OF 352.73 FEET TO THE POINT OF CURVE LEFT OF A 1,359.00 FOOT RADIUS CURVE; THENCE ALONG THE ARC OF SAID CURVE LEFT THROUGH A CENTRAL ANGLE OF 6°51'45", A DISTANCE OF 163.97 FEET (CHORD BEARS N.04°43'09"E., A DISTANCE OF 163.87 FEET); THENCE N.01°17'14"E., A DISTANCE OF 96.65 FEET TO THE POINT OF CURVE LEFT OF A 40.00 FOOT RADIUS CURVE, THENCE ALONG THE ARC OF SAID CURVE LEFT THROUGH A CENTRAL ANGLE OF 90°04'55", A DISTANCE OF 62.89 FEET (CHORD BEARS N.43°45'14"W., A DISTANCE OF 64.61 FEET); THENCE N.01°12'18"E., A DISTANCE OF 82.47 FEET; THENCE S.70°51'16"E., A DISTANCE OF 63.97 FEET; THENCE S.54°35'39"E., A DISTANCE OF 176.43 FEET; THENCE S.32°45'59"E., A DISTANCE OF 280.89 FEET TO THE POINT OF CURVE RIGHT OF A 456.00 FOOT RADIUS CURVE, THENCE ALONG THE ARC OF SAID CURVE RIGHT THROUGH A CENTRAL ANGLE OF 11°28'57", A DISTANCE OF 91.34 FEET (CHORD BEARS S.27°01'40"E., A DISTANCE OF 91.19 FEET) TO THE POINT OF REVERSE CURVE LEFT OF A 620.00 FOOT RADIUS CURVE, THENCE ALONG THE ARC OF SAID CURVE LEFT THROUGH A CENTRAL ANGLE OF 32°20'38", A DISTANCE OF 382.46 FEET (CHORD BEARS S.38°57'41"E., A DISTANCE OF 376.42 FEET) TO THE INITIAL POINT. CONTAINS 138.548 ACRES, MORE OR LESS.

Gary E. Paul REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2688

PARTITION PLAT NO. 2015-083 NE1/4 AND SE1/4 SECTION 11, NW1/4 AND SW1/4 SECTION 12, T.3S., R.1W., W.M. CITY OF WILSONVILLE CLACKAMAS COUNTY, OREGON SURVEYED APRIL 16, 2015 SHEET 3 OF 3



APPROVALS

APPROVED THIS 15th DAY OF October, 2015 BY: K. Nutter CITY OF WILSONVILLE PLANNING DIRECTOR
APPROVED THIS 16th DAY OF October, 2015 BY: Tim Krawchuk CITY OF WILSONVILLE COMMUNITY DEVELOPMENT DIRECTOR
APPROVED THIS 2nd DAY OF NOVEMBER, 2015 BY: Carl R. Porter CLACKAMAS COUNTY SURVEYOR AND CLACKAMAS COUNTY BOARD OF COMMISSIONERS DELEGATE PER COUNTY CODE CHAPTER 11.02
APPROVED THIS 22nd DAY OF November, 2015 CLACKAMAS COUNTY ASSESSOR & TAX COLLECTOR BY: Tony Neigel DEPUTY

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY ORS 92.095 HAVE BEEN PAID THROUGH JUNE 30, 2016. APPROVED THIS 22nd DAY OF November, 2015 CLACKAMAS COUNTY ASSESSOR & TAX COLLECTOR BY: Tony Neigel DEPUTY

STATE OF OREGON } COUNTY OF CLACKAMAS } I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD ON THE 5th DAY OF November, 2015 AT 2:32 O'CLOCK P.M. AS PARTITION PLAT NO. 2015-083 DOCUMENT NO. 2015-074482 SHERRY HALL, CLACKAMAS COUNTY CLERK BY: Sherry E. Huger DEPUTY





\$108.00

11/05/2015 02:32:01 PM

D-E Cnt=1 Stn=5 LESLIE
\$60.00 \$16.00 \$22.00 \$10.00

RECORDING REQUESTED BY AND
AFTER RECORDING RETURN TO:

XEROX Corporation
Attn: Mr. David Pierson
Vice President Corporate Real Estate, Global Projects
45 Glover Avenue
Norwalk, CT 06856-4505

**DECLARATION OF UTILITY, FIRE PROTECTION, COMMUNICATIONS
AND RECIPROCAL ACCESS EASEMENTS**

RECITALS:

A. XEROX CORPORATION, a New York corporation ("Declarant"), owns the commercial real property legally described as Parcels 1 and 2, Partition Plat 2015-083, County of Clackamas, State of Oregon (the "Parcels"). Each of the Parcels are referred to individually herein as a "Parcel".

B. As a condition of the approval of Partition Plat 2015-083 ("Partition Plat"), the City of Wilsonville ("City") required Declarant to grant various easements among the Parcels (this "Declaration"). This Declaration specifies the location and scope of such easements. This Declaration does not replace or amend any easement or maintenance agreement recorded against either Parcel in the real property records of Clackamas County, Oregon, which remain unaffected by this Declaration.

AGREEMENTS:

1. Definitions.

1.1 "Access Easement Areas" means that portion of the Parcels intended for the nonexclusive use by the Permittees (defined in Section 1.2 below), the City and Tualatin Valley Fire and Rescue (TVF&R) in common with other users, as permitted by this Declaration and as may be permitted by the applicable Owner to the extent not prohibited by this Declaration. Access Easement Areas shall include, without limitation, access roads, driveways, curbs, walkways, sidewalks, and bus enclosures in the locations and configurations in which they exist, as may be modified from time to time in accordance with the terms of this Declaration. Access Easement Areas shall not include any buildings, trash enclosures, parking areas, landscaped or natural areas, loading docks or the concrete apron or ramp leading to such docks.

1.2 "Permittees" shall mean the owners of the Parcels and (to the extent reasonable in the context of the originally contemplated use of the particular Access Easement Areas) their tenants, subtenants, property managers, contractors, vendors, licensees, employees, permitted users of sidewalk areas, and their respective officers, directors, employees, agents, customers, visitors and invitees.

Stewart

2. Reciprocal Access Easement.

2.1 Declaration of Reciprocal Access Easement. Declarant hereby declares and grants a perpetual, non-exclusive, reciprocal access easement over the Access Easement Areas for the following purposes:

i) Pedestrian and bicycle ingress and egress for the Permittees on, over and across the walkways located on the Parcels as they may exist from time to time, including, without limitation, any bus shelters adjacent to private roads or walkways located on the Parcels or public streets adjacent to either of the Parcels; and

ii) Vehicular ingress and egress for the Permittees on, over and across the private roads and permitted vehicular circulation areas located on the Parcels and to the public streets adjacent to either of the Parcels; provided that no large trucks shall be allowed to use the private road located along the southern boundaries of Parcels 1 and 2 between Parkway Avenue and SW Canyon Creek Road (“Xerox Drive”) but such trucks may use the private road located along the northern boundary of Parcel 2 and through Parcel 1 (“Printer Parkway”) to access Parcel 2. For purposes of this Declaration, “large trucks”, excluding emergency vehicles which may be of any size, shall mean Class 7-8 GVW or trucks that have at least -six (6) wheels and weigh over 26,000 pounds when loaded.

iii) Emergency access for police and fire and by the City for maintenance, repair and replacement of utilities.

Declarant reserves the right for each Parcel owner to make such use of the Access Easement Areas on such owner’s Parcel as it desires and within the constraints of this Declaration, so long as such use does not interfere with or prevent use of the Access Easement Area by the Permittees as contemplated in this Declaration.

2.2 Modifications. Each Parcel owner shall have the right to modify the configuration of drive aisles, walkways, bus enclosures, parking areas and related driveway installations within the Access Easement Areas on such owner’s Parcel at any time; provided that any such modification does not impede emergency access for emergency vehicles, including but not limited to fire trucks, materially impede ingress and egress between the Parcels and public streets adjoining the Parcels, and further provided that Parcel 2’s loading dock and truck access is never rendered inaccessible. The parties acknowledge that the vehicular traffic on the Access Easement Areas may increase over time and may from time to time include construction vehicles in the event either Parcel owner elects to make alterations to existing improvements or add additional improvements to such owner’s Parcel. Declarant expressly contemplates such increased vehicular traffic and neither Parcel owner shall unreasonably object to any such increases to the Access Easement Areas for the purposes set forth in this paragraph, provided that at no time shall such increase in traffic or construction activities materially interfere with the Parcel owner’s use, access to, operations, or parking for its Parcel, and further provided that Parcel 2’s loading dock and truck access is never rendered inaccessible.

Further, in the event the construction to and/or, development of, or any other modification of a Parcel requires or triggers modifications to the other Parcel, the parties shall reasonably cooperate with respect thereto, and the instigating Parcel owner shall bear all costs and expenses related thereto.

2.3 Future Access Easement. Declarant hereby declares a perpetual, non-exclusive easement for future access to Printer Parkway and all other Access Easement Areas from Parcel 1 over an area three (3) feet in width along the entire northern boundary line of Parcel 2 for the Parcel 1 Permittees and for the Parcel 2 Permittees over any newly developed Access Easement Areas on Parcel 1 (the "Future Access Easement" or "Future Access Easement Area" as applicable). At such time as the owner of Parcel 1 develops additional building improvements on Parcel 1 in the area north of the Future Access Easement Area and constructs curb cuts and related improvements on the Future Access Easement Area to provide access to Printer Parkway and walkways on Parcel 2, the owners of the Parcels shall execute and record in the deed records of Clackamas County, Oregon a written amendment to this Declaration documenting the location of the curb cuts to Printer Parkway from Parcel 1 and any new walkways on Parcel 1 to be included in the Access Easement Areas and terminating the Future Access Easement. The Parcel 1 owner shall prepare and record the amendment to this Declaration at its expense.

2.4 Unauthorized Use and Closure of Access Easement Areas. Each owner of a Parcel shall have the right to eject or cause the ejection from the Access Easement Areas on its Parcel of any entity or person who is not a Permittee, the City, police or fire or who is not otherwise authorized, empowered or privileged to use the Access Easement Areas and such person's vehicle(s). Neither Parcel owner shall have the right for its Permittees to use the parking areas located on the other Parcel for the use of such owner's Permittees. Each owner of a Parcel shall have the right to remove vehicles that are parked in a parking space reserved for such Parcel's own permitted users. Each owner of a Parcel may temporarily close off the Access Easement Areas on its Parcel for such reasonable periods of time as may be necessary to maintain, repair, relocate, modify or replace the improvements in the Access Easement Areas, provided, however, that prior to closing off any portion of the Access Easement Areas, such owner shall give reasonable prior, written notice to the other Parcel owner of its intention to do so and shall coordinate such closing with the other Parcel owner so that no unreasonable interference with the operation of the Parcels shall occur. Notwithstanding the foregoing, in no event shall such temporary closure result in the inability for trucks to access and use loading docks and to access, park at, or operate, in the ordinary course of business, the affected Parcel and adjacent rights of way.

2.5 Maintenance of Access Easement Areas.

i) Each Parcel owner shall refrain from and shall use commercially reasonable efforts to prevent its Permittees from depositing any debris, trash or any other items whatsoever on the Access Easement Areas. Each Parcel owner shall promptly remove at its expense any such items which are intentionally or unintentionally deposited on the Access Easement Areas; provided, that if the Permittees of the a Parcel owner are the obvious cause of the deposit of such debris, trash or other items on the other Parcel, that upon notice to the offending Parcel owner and fifteen (15) days to cure, the affected Parcel owner shall have the right to remove such material from its Parcel and invoice and bill the other Parcel owner for the actual removal expenses incurred, and the owing Parcel owner shall reimburse such amounts within sixty (60) days of notice and invoices therefor. Further notice shall not be required after the second notice to the offending Parcel owner for the same issue in any calendar year.

ii) Each Parcel owner shall maintain, replace and repair the improvements on the Access Easement Areas on its Parcel in good condition and repair at such

Parcel owner's expense, normal wear and tear excepted. All maintenance, repair and replacement obligations shall be performed in a prompt, diligent, and good and workmanlike manner in compliance with all applicable laws, ordinances, rules, regulations, and requirements of any governmental authority. All Access Easement Areas improvements that are the intended subject of this Declaration shall be repaired or replaced with materials at least equal to the quality of the materials being replaced or repaired.

iii) Maintenance and repair obligations shall include, without limitation: cleaning, patching or filling damaged pavement; resurfacing paved areas on a regular basis; repairing curbs; removal of snow, ice, or other obstructions; periodic removal of debris, litter, refuse and sweeping to the extent necessary to keep the Access Easement Areas in clean and orderly condition; cleaning, maintenance, repair and replacement of lighting facilities, including, without limitation, replacing lamps, ballasts and lenses; and placing, cleaning, repairing, replacing and repainting directional signs or markers.

3. Utility Easement.

3.1 Declaration of Utility Easement. Declarant hereby declares and grants a perpetual, non-exclusive easement for the installation, use, maintenance, modification, repair and replacement of utilities as may be necessary to provide sanitary sewer, water (including domestic and fire protection), storm sewer drainage, storm water, natural gas, electricity, fiber optic cable, cable television, telephone and other similar public and private utilities to Parcel 1 (the "Utility Easement") in the utility easement area (the "Utility Easement Area") depicted on Parcel 2 on the Partition Plat, including, without limitation, the maintenance, modification, repair and replacement of any such utilities installed on Parcel 2 as of the date of this Declaration. Parcel 1 owner may use the Utility Easement Area for the installation, repair, maintenance, modification, use and operation of sanitary sewers, water and gas pipes and systems, electrical power conduits, lines and wires, fiber optic, telephone and cable conduits, lines and wires, and other public and private utilities beneath the ground surface at a location or locations deemed reasonably necessary by the Parcel 1 owner, provided that (i) such location is within the Utility Easement Area; (ii) the installation, repair, maintenance, modification, use or operation does not adversely affect the provision of utilities services to Parcel 2 or pose material risk thereto during installation and/or maintenance; (iii) not less than thirty (30) days' notice is provided to the Parcel 2 owner; and (iv) the Parcel 1 owner shall at its own cost promptly replace or restore all improvements, landscaping and vegetation in the Utility Easement Area to the condition in which they were in prior to the performance of such installation, modification, repair, replacement or maintenance.

3.2 Modification of Utilities. Subject to the requirements set forth in Section 3.1 above, the owner of Parcel 1 may install such additional utilities or additional lines, pipes, cables, conduits and other utility improvements and facilities in the Utility Easement Area, including, without limitation, larger or additional lines, pipes, conduits, cables and other utility improvements as the Parcel 1 owner deems reasonably necessary to serve existing, new or expanded improvements on Parcel 1, and may connect to existing public and private utility facilities on Parcel 2 provided that such connection shall not cause interference with utilities serving Parcel 2 and that the utility provider consents to such connection.

3.3 Maintenance. Except with respect to public easements and public utilities for which the City is responsible, or private utilities owned and maintained by the various

franchise utility operators, each Parcel owner shall maintain, replace and repair its utility facilities located in the Utility Easement Area in good condition and repair at its sole expense, normal wear and tear excepted (provided that such normal wear and tear doesn't adversely affect any existing utility facilities to which the other Parcel is connected). All installation, maintenance, repair and replacement activities of the Parcel owners in the Utility Easement Area shall be performed in a prompt, diligent, and good and workmanlike manner in compliance with all applicable laws, ordinances, rules, regulations, and requirements of any governmental authority, and except in an emergency, with not less than thirty (30) days' prior notice to the other Parcel owner.

4. Communications Easement.

4.1 Declaration of Communications Easement. Declarant hereby declares and grants a non-exclusive easement on Parcel 1 for the use, maintenance, repair and replacement of existing fiber optic cable and network, cable television, telephone and other similar communication lines serving Parcel 2, including, without limitation, the Main Communications Line (defined below) (the "Communications Easement"). The Parcel 1 owner shall have the right to relocate the Parcel 2 owner's communication lines and fiber optic network at the Parcel 1 owner's expense, provided that the Parcel 1 owner shall not disrupt the communications services serving Parcel 1 or Parcel 2, and shall have a redundant fiber optic network in place and fully operational, and which is acceptable to the user in its sole discretion, before taking down or in any way interrupting the legacy fiber optic network. In addition, the Parcel 1 owner shall have the right to install and maintain landscaping, vehicular and pedestrian circulation and parking improvements in the Communications Easement area, provided that such improvements do not prevent or materially impair use of or access to the Communications Easement by the Parcel 2 owner.

4.2 Maintenance. The Parcel 2 owner shall maintain all of its communications equipment and facilities, including, without limitation, the lines, conduit and connections within the Communications Easement area, in good condition, reasonable wear and tear excepted, at the Parcel 2 owner's sole cost and expense. The Parcel 2 owner shall promptly restore all surface areas and other improvements to the condition existing before the maintenance activities at the Parcel 2 owner's sole cost and expense. Notwithstanding any other restrictions on access set forth in this Declaration, the Parcel 1 owner shall provide access to secured areas within buildings on Parcel 1 as needed for the Parcel 2 owner to carry out its maintenance, repair and replacement activities with respect to its communications network.

The Parcel 1 owner shall maintain the main communications service line entering Parcel 1 from the south up to the demarcation point in Building 60. The Parcel 1 owner shall provide not less than thirty (30) days' notice of its intent to do so to the Parcel 2 owner (except in an emergency), and shall reasonably coordinate all such work with the Parcel 2 owner. The owner of Parcel 2 shall reimburse the owner of Parcel 1 for its prorata share of all maintenance, repair and replacement costs expended by the Parcel 1 owner with respect to the main communications service line (the "Main Communications Line"), as reasonably determined by the Parcel 1 owner. For purposes of this Section 4.2, the parties' prorata shares shall be determined based upon relative square footage of the buildings owned by each party and that are served by the Main Communications Line. The Parcel 1 owner shall provide copies of invoices documenting its expenses under this Section 4.2 to the owner of Parcel 2 and the Parcel 2 owner shall reimburse the Parcel 1 owner within sixty (60) days after receipt

of such invoices; provided that, except in the event of an emergency threatening life or property, the Parcel 1 owner shall obtain the Parcel 2 owner's prior approval of any such expenditures that are reasonably anticipated to exceed \$25,000. If the Parcel 2 owner fails to respond within fifteen (15) days after receipt of such notice, the Parcel 2 owner shall be deemed to have approved the expenditure unless it is over \$50,000 in which event the Parcel 1 owner shall provide a second seven (7) day notice. If the Parcel 2 owner fails to respond within seven (7) days after receipt of such notice, the Parcel 2 owner shall be deemed to have approved the expenditure. If the Parcel 2 owner determines that the Main Communications Line is in need of repair or maintenance, the Parcel 2 owner shall deliver notice to the Parcel 1 owner. If the Parcel 1 owner fails to make such repairs within fifteen (15) days of receipt of such notice, the Parcel 2 owner may do so and invoice the Parcel 1 owner for its prorata share of such expenses, including copies of invoices documenting the same.

4.3 Termination. Upon recording of the Partition Plat and this Declaration, Declarant intends to sell Parcel 1 and to enter into a lease with the new owner of Parcel 1 to continue its occupancy of Buildings 60 and 61 on Parcel 1. Declarant intends to continue to occupy Building 63 on Parcel 2. Upon the 180th day after termination of Declarant's lease of any space in Buildings 60 and/or 61 on Parcel 1, the Communications Easement shall automatically terminate. On or before such termination, the Parcel 2 owner shall stub all of its communications equipment and facilities, including, without limitation, the lines, conduit and connections to the demarcation point, from Parcel 2 and restore all surface areas and improvements, at the Parcel 2 owner's sole cost and expense. The Parcel 2 owner shall execute and return a notarized quitclaim deed documenting termination of the Communications Easement within twenty (20) business days after written notice by the Parcel 1 owner that the 180-day period has expired. The Parcel 1 owner may record such quitclaim deed in the deed records of Clackamas County, Oregon. All prior accrued obligations of the Parcel 2 owner under this Section 4, Sections 10.3 through 10.5 and all remedies of the Parcel 1 owner with respect to the Communications Easement shall survive termination of the Communications Easement.

5. Declaration of Fire Protection Easement. In addition to the easement rights granted to the Parcel 1 owner in connection with the Utility Easement, Declarant further declares and grants a perpetual, non-exclusive easement for the benefit of Parcel 1 for the installation, maintenance, repair and replacement of the currently existing fire protection water line under and across Parcel 2 and connecting to the fire pump in the pump house on Parcel 2 (the "Fire Protection Easement"). The Parcel 2 owner shall maintain, repair and replace such line and the fire pump. The owner of Parcel 1 shall reimburse the owner of Parcel 2 for (i) its prorata share of all maintenance, repair and replacement costs expended by the Parcel 2 owner with respect to the fire pump and of the line serving Parcel 1, and (ii) all costs for water utilized by the Parcel 1 owner from the fire pump, as reasonably determined by the Parcel 2 owner. For purposes of this Section 5, the parties' prorata shares shall be determined based upon relative square footage of the buildings owned by each party and that are served by the Fire Protection Easement. The Parcel 2 owner shall provide copies of invoices documenting its expenses under this Section 5 to the owner of Parcel 2 and the Parcel 2 owner shall reimburse the Parcel 2 owner within sixty (60) days after receipt of such invoices.

6. General Maintenance Requirements. In addition to any specific requirements set forth above, the benefitted Parcel owner under any of the easements granted herein shall notify

the other Parcel owner of any maintenance, repair or replacement work on such other owner's Parcel at least thirty (30) days in advance (except in the event of an emergency), shall obtain the affected Parcel owner's reasonable approval of the schedule for such work, shall obtain all required permits for such work in advance, shall perform all such work in a good and workmanlike manner and shall keep the other Parcel lien-free. Each Parcel owner may prepare a Notice of Non-Responsibility in its name conforming to the requirements of ORS 87.030, for any such work by the other Parcel owner on its Parcel. The Parcel owner on whose Parcel the work is being performed may cause the same to be posted at or about its Parcel in the manner required by ORS 87.030.

7. Insurance. At all times during the existence of this Declaration, each Parcel owner at its sole cost shall maintain commercial general liability (including bodily injury, personal injury, premises liability) and property damage insurance with a limit of liability of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate, as well as automobile liability covering all hired, owned and non-owned vehicles with a minimum combined single limit of \$1,000,000 per accident for bodily injury and property damage liability. Upon written notice from a Parcel owner to the other given not more than once in any five (5) year period, the Parcel owners shall increase the liability limits of the foregoing insurance by the corresponding increase in the Consumer Price Index - All Urban Consumers -Portland-Salem, OR-WA (1982-84=100) for the period since the prior increase, if any. Each Parcel owner will cause the other Parcel owner to be added to its liability insurance policies as an additional insured. Each Parcel owner shall provide the others from time to time, upon request by any other owner, certificates of insurance showing that such policies of insurance: (a) name the other Parcel owner as additional insured parties; (b) are issued for periods of not less than one year; (c) are issued by insurance companies qualified to do business in the State of Oregon and having a general policyholder's rating of not less than "A" and a financial rating of not less than Class "X" as rated in the most current available "Best's" Insurance Reports; and (d) contain a waiver of subrogation in favor of the other Parcel owner. In the event that a Parcel owner receives a notice of cancellation or nonrenewal of insurance required by this Section 7, the Parcel owner shall immediately deliver a copy of such notice to the other Parcel owner.

8. Waiver of Subrogation. Each Parcel owner hereby releases the other Parcel owner from and, to the extent legally possible for it to do so on behalf of its insurer, hereby waives any liability for any loss or damage to its property located on its Parcel, which loss or damage is of the type covered by fire and extended coverage insurance, which may have contributed to or caused such loss. Each Parcel owner covenants that it will obtain for the benefit of the other Parcel owner an express waiver of any right of subrogation which the owner's insurer may acquire against the other owners by virtue of the payment of any such loss covered by such insurance.

9. Remedies. In addition to any other remedies provided for in this Declaration, the parties shall have the following remedies:

9.1 If any Parcel owner fails to comply with any provision of this Declaration, any other Parcel owner may, upon thirty (30) days prior written notice to such other Parcel owner, proceed to cure the default, by the payment of money or performance of some other action for the account of such Parcel owner, and shall have a license to lawfully enter onto the Parcel of such Parcel owner to do so. If, within the 30-day period, the defaulting Parcel owner cures the default or begins to cure the default and thereafter diligently pursues such

cure to completion, then the foregoing cure right shall not be capable of exercise by the non-defaulting Parcel owner, except in the event of an emergency posing material danger to person or property. If a Parcel owner reasonably determines that an emergency exists that requires immediate attention, the Parcel owner shall be required to give only such notice as is reasonable under the circumstances prior to curing the applicable default. The defaulting Parcel owner shall reimburse the curing Parcel owner for the reasonable cost of curing the default within sixty (60) days after written demand therefor together with copies of invoices or other reasonable documentation thereof.

9.2 If a Parcel owner fails to pay any sum payable under this Declaration by the date due, interest shall accrue on the unpaid amount from the date due until paid at the rate of the lesser of (a) nine percent (9%) per annum, or (b) the highest rate permitted by applicable law. Unless otherwise specified in this Declaration, any sum owed by one Parcel owner to another Parcel owner under this Declaration shall be due sixty (60) days after written demand (together with copies of invoices or other reasonable documentation thereof) by the Parcel owner to whom such payment is owed. Additionally, if such amount exceeds \$25,000 and remains outstanding for more than ninety (90) days after written notice from the owed Parcel owner, the owed Parcel owner shall have the right to place a lien on the owing Parcel and such shall not be a violation of any mortgage holder or other such party's rights, and the owing Parcel owner shall indemnify, defend, and hold the owed Parcel owner harmless from any such claims. The owed Parcel owner shall deliver written notice to the owing Parcel owner and any Mortgagee (defined below) of record for the other Parcel before initiating a foreclosure of the foregoing lien and shall allow such Mortgagee(s) not less than thirty (30) days in which to cure such default, but in no event shall any Mortgagee be obligated to cure.

9.3 The Parcel owners shall have the right to restrain by injunction any violation or threatened violation by a Parcel owner of any of the terms, covenants, or conditions of this Declaration, or to obtain a decree to compel performance of any such term, covenant, or condition, it being agreed that the remedy at law for a breach of any such term, covenant, or condition (except those, if any, requiring a payment of a liquidated sum) is not adequate.

9.4 The rights and remedies expressly afforded under the provisions of this Declaration shall not be deemed exclusive, unless otherwise indicated, and shall be in addition to and cumulative with any and all rights otherwise available at law or in equity. The exercise by any Parcel owner of any one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any other such remedies for the same default or breach or of any of its remedies for any other default or breach by any other Parcel owner, including the right to compel specific performance, or the right to seek damages.

9.5 Notwithstanding the foregoing, or anything else in this Declaration to the contrary, no breach of this Declaration shall entitle any Parcel owner to cancel, rescind, or otherwise terminate this Declaration, but such limitation shall not affect in any manner any other rights or remedies which such Parcel owner may have hereunder by reason of any breach of this Declaration.

10. General Provisions.

10.1 Principles of Construction. The words “include,” “including” and similar terms shall be construed as of followed by the words “without limitation.”

10.2 Easements and Covenants to Run with Land; Binding Effect. The easements and covenants set forth in this Declaration shall run with the land as to all property benefited and burdened thereby, including any partition or division of such property. The rights, covenants, and obligations contained in this Declaration shall bind, burden, and benefit the Parcel owners and their respective successors, assigns, and lessees.

10.3 Mechanics Liens. Each Parcel owner shall pay as due all claims for work done on and for services rendered or material furnished to any of the Parcels by such Parcel owner or at such Parcel owner’s request and shall keep the Parcel it does not own free from any liens arising from such work, services and materials. If a Parcel owner fails to pay any such claims pursuant to the foregoing sentence or to discharge any such lien on a Parcel it does not own within fifteen (15) business days after the filing of a claim of lien, the owner of the Parcel subject to the lien may do so and recover the cost from such other Parcel owner, together with interest at the rate of the lesser of (a) nine percent (9%) and (b) the highest rate permitted by applicable law, from the date expended, which sums shall be payable upon demand. Such action by the owner of the Parcel subject to the lien shall not constitute a waiver of any other right or remedy the owner may have under this Declaration or applicable law.

10.4 Damage by a Party. Notwithstanding the provisions of Section 6, each Parcel owner shall be solely obligated to pay any maintenance, repair, and/or replacement costs that arise from the gross negligence, recklessness or willful misconduct of any such Parcel owner or its Permittees.

10.5 Indemnification. Each Parcel owner (an “Indemnitor”) shall indemnify and hold harmless the other Parcel owner and its members, managers, officers, directors, property managers, lenders, principals, employees, agents, and contractors (collectively, “Indemnitees”) against and from any and all loss, claim, or liability of any nature, including injury to person or property, or wrongful death, and including, but not limited to, reasonable attorney fees and legal expenses, to the extent directly arising from the use of any Easement Area or the improvements therein by the Indemnitor, or its Permittees and invitees or the breach by the Indemnitor of its obligations under this Declaration; provided that the foregoing indemnity shall not extend to claims to the extent they arise from the gross negligence, recklessness or willful misconduct of or breach of this Declaration by the other Parcel owner, and further provided that such is not a waiver of any other obligations expressly set forth in this Declaration, including but not limited to the requirement that the Parcel owner developing its property be responsible for all costs and expenses related thereto. Notwithstanding the foregoing, in no event shall a Parcel owner be liable for any speculative or punitive damages.

10.6 Notices. Any notice that a party desires or is required to give to the other shall be in writing and shall be effective on the earlier of actual delivery or refusal of a party to accept delivery thereof if sent by (a) certified or registered U.S. mail, postage prepaid, return receipt requested or (b) messenger or overnight courier service. Any and all notices shall be addressed to such other party at its address of record with the Oregon Secretary of State’s Corporation Division, or if such party is not an entity, to the address for such owner’s

Parcel on record with the tax assessor for Clackamas County, or to such other address as such party may designate in a notice to the other party.

10.7 Mortgagee Protections.

i) Priority; Liability of Mortgagees. This Declaration shall at all times be prior and superior to the lien of any mortgage or deed of trust upon any Parcel or any portion thereof, now or hereafter existing. Notwithstanding the foregoing, no Mortgagee (defined below) shall solely by virtue of the lien or security interest held by such holder with respect to any Parcel incur any liability hereunder or be required to make any payment or perform any obligation hereunder which the owner of such Parcel is required to pay or perform; provided that if such holder or any third party purchaser shall acquire such Parcel at a foreclosure sale or by deed in lieu thereof, such holder or purchaser shall thereafter be obligated to make all payments which become due and owing hereunder following the date of such acquisition and to perform all obligations under this Declaration which relate to any period of time following the date of such acquisition. For purposes of this Declaration, "Mortgagee" shall mean any person or entity holding a recorded mortgage or deed of trust on any Parcel who has provided written notice of such mortgage or deed of trust to the owners of the other Parcels in accordance with Section 10.6 of this Declaration.

ii) Notice and Cure. Each Mortgagee shall simultaneously be provided a copy of any notice of default delivered by any owner of any Parcel to any owner of any other Parcel, provided that such Mortgagee shall have made a written notice request to the owners of the Parcels requesting that copies of notice of default be sent to such Mortgagee which request shall set forth the applicable Mortgagee's address for receipt of such copies. Upon receipt of such notice, the Mortgagee shall have the right (but in no event shall be obligated) to cure any breach or default specified in such notice within the time periods set forth below and the applicable Parcel owner shall not declare a default or breach of this Declaration, as to the Mortgagee, if the Mortgagee cures such default or breach by the applicable Parcel owner within thirty (30) days from and after the expiration of the time period provided in the Declaration for the cure thereof by the applicable Parcel owner; provided, however, that if such breach or default cannot with diligence be cured by the Mortgagee within such thirty (30) day period, the commencement of action by the Mortgagee within such thirty (30) day period to remedy the same shall be deemed sufficient so long as the Mortgagee pursues such cure with diligence, excepting in an emergency situation when no extension shall be granted.

10.8 Estoppel Certificates. From time to time, upon written request of any Parcel owner or its Mortgagee of such Owner (the "Requesting Party"), each of the other Parcel owners, as requested (the "Responding Party(ies)") shall execute, acknowledge and deliver to the Requesting Party, within fifteen (15) business days of such a request, a written certificate stating (a) that on such date there exist no defaults or other claims against the Requesting Party under this Declaration (or stating exceptions thereto); (b) that all obligations under this Declaration to be performed by the Requesting Party as of the date of such certificate have been satisfied (or specifying those as to which the Responding Party claims that the Requesting Party has yet to perform); and, (c) that all required contributions by the Requesting Party on account of this Declaration have been paid (or stating exceptions thereto).

10.9 Attorneys' Fees. If a suit, action, or other proceeding of any nature whatsoever (including any proceeding under the U.S. Bankruptcy Code) is instituted in

connection with any controversy arising out of this Declaration or to interpret or enforce any rights hereunder, the prevailing or non-defaulting Parcel owner shall be entitled to recover its attorneys', paralegals', accountants', and other experts' fees and expenses and all other fees and expenses actually incurred and reasonably necessary in connection therewith, as determined by the court at trial or on any appeal or review, in addition to all other amounts provided by law.

10.10 Governing Law. This Declaration shall be governed by and construed according to the laws of the State of Oregon.

10.11 Waiver. No waiver made by any party with respect to the performance, or manner or time thereof, of any obligation of any other party or any condition inuring to its benefit under this Declaration shall be considered a waiver of any other rights of the party making the waiver. No waiver by any party of any provision of this Declaration or any breach thereof shall be of any force or effect unless in writing, and no such waiver shall be construed to be a continuing waiver.

10.12 Severability of Provisions. If any clause, sentence or any other portion of the terms and conditions of this Declaration becomes illegal, null or void for any reason, the remaining portions will remain in full force and effect to the fullest extent permitted by the law.

10.13 Status of Title; Payment of Taxes. This Declaration is granted subject to all prior easements of record. Each Parcel owner shall pay prior to delinquency all real property taxes, assessments or other charges against its Parcel. Each Parcel owner will defend the title and the other Parcel owner's interest under this Declaration against any mortgage, tax lien or construction lien claim which asserts priority over the interest of the other party under this Declaration and which is attributable to the party itself or its tenants.

10.14 No Partnership. Nothing in this Declaration or any acts of the parties hereto shall be deemed or construed by the parties, or by any third person, to create the relationship of principal and agent, or of partnership, or of joint venture between any of the parties.

10.15 No Third-Party Beneficiaries. The parties hereto intend that the rights, obligations and covenants in this Declaration shall be exclusively enforceable by the parties hereto and their respective successors and assigns. Except for the City and TVF&R, there are no third party beneficiaries to this Declaration.

10.16 No Merger. This Declaration shall not be subject to the doctrine of merger, even though fee ownership of two or more Parcels may be vested in one person or entity.

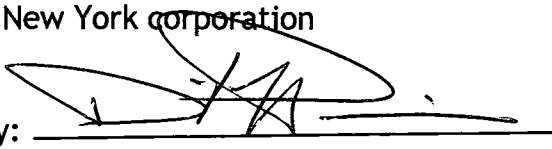
10.17 No Public Dedication. Nothing in this Declaration shall be deemed a gift or dedication of any portion of any Parcel or the easements created by this Declaration for the general public or for any public person whatsoever. The parties shall have the right, from time to time, to close all or any portion of any Easement Area to such extent as may be reasonably necessary to prevent a dedication thereof or the accrual of any interest therein by any third person or the public.

[Signature on the following page]

DECLARANT:

XEROX CORPORATION,
a New York corporation

By: _____



David L. Pierson

Its: Vice President, Corporate Real Estate Global Projects

STATE OF CONNECTICUT)

) ss.

County of Fairfield)

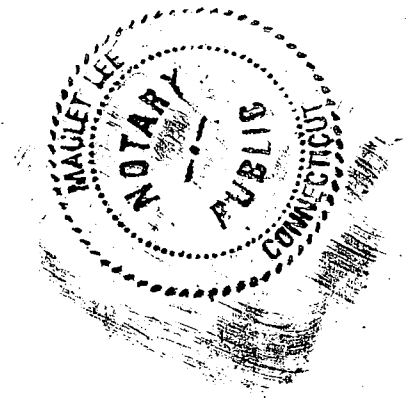
This instrument was acknowledged before me on October 20, 2015 by David Pierson as Vice President, Corporate Real Estate Global Projects, of XEROX CORPORATION, a New York corporation, on behalf of and as the act and deed of said corporation.



Maulet Lee

Notary Public, State of Connecticut

My Commission Expires: September 30, 2019



EXCERPT

July 7, 2016

Notice of Administrative Decision

Project Name: 2-Parcel Partition 26440 and 26600 SW Parkway Avenue

Case File No.: AR16-0037

Applicant/Owner: Natsumi Shakhman, Scanlan Kemper Bard

Applicant's

Representative: Li Alligood AICP, OTAK Inc.

Location: 26440 and 26600 SW Parkway Avenue

Request: Class II Administrative Review of a Tentative Partition Plat to divide a 113-acre industrial property into 2 parcels.

On July 7, 2016 an administrative decision was rendered, granting approval with conditions on the above-referenced applications:

The written decision is on file in the planning division. A copy of the applications, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at \$.25 per page at the Wilsonville Planning Division, 29799 SW Town Center Loop E., Wilsonville OR, 97070.

Section 4.022(.01) of the Wilsonville Code provides that this decision may be appealed by any person who is entitled to written notice or who is adversely aggrieved. Appeal is processed under Wilsonville Code 4.022.

Note: Any appeal must be filed with the City Recorder within fourteen (14) calendar days of the notice of the decision. The notice of appeal shall be in writing and indicate the specific issue(s) being appealed and the reason(s) therefore. Should you require further information, please contact Daniel Pauly AICP, Associate Planner, with the City Planning Division at 503-682-4960. Last day to appeal: 4:00 P.M. on July 21, 2016.

For more information, contact the Wilsonville Planning Division at 503-682-4960

Exhibit A1
Staff Report
Wilsonville Planning Division
Administrative Review and Decision

Date of Report: July 7, 2016

Application Nos.: AR16-0037 Tentative Partition Plat Parkway Woods-2016

Request/Approval: The Planning Director is reviewing a Tentative Partition Plat to divide a 113-acre industrial property into 2 parcels.

Location: Between Parkway Avenue and Canyon Creek Road North at Printer Parkway The property is specifically known as Tax Lots 511 and 581, Section 12, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon

Owner/Applicant: Natsumi Shakhman
Scanlan Kemper Bard

Applicant's

Representative: Li Alligood, AICP
OTAK, Inc.

Comprehensive Plan Designation: Industrial

Zone Map Classification: PDI (Planned Development Industrial)

Staff Reviewers: Daniel Pauly AICP, Associate Planner
Steve Adams PE, Development Engineering Manager

Action Taken: Approval with conditions of the requested Land Partition.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.135	Planned Development Industrial Zone

Sections 4.139.00 through 4.139.11	Significant Resource Overlay Zone (SROZ)
Section 4.140	Planned Development Regulations
Sections 4.200 through 4.220	Land Partitions

Vicinity Map



Master Exhibit List:

The following exhibits are hereby entered into the public record by the Development Review Board as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case File AR16-0037.

Planning Staff Materials

A1. Staff report and findings (this document)

Materials from Applicant

B1. Applicant's Narrative and Submitted Materials

B2. Drawings

Existing Conditions

Proposed Partition Plat

engineer. An affidavit of the services of such surveyor or engineer shall be furnished as part of the submittal.”

Finding: This criterion is satisfied.

Explanation of Finding: The applicant’s Exhibit B2 includes a preliminary partition plat prepared in accordance with this subsection.

Tentative Plat Submission

Subsection 4.210 (.01) B.

6. **Review Criteria:** “The design and layout of this plan plat shall meet the guidelines and requirements set forth in this Code. The Tentative Plat shall be submitted to the Planning Department with the following information:” Listed 1. through 26.

Finding: These criteria are satisfied.

Explanation of Finding: The tentative partition plat has been submitted with the required information.

Phases to Be Shown

Subsection 4.210 (.01) D.

7. **Review Criteria:** “Where the applicant intends to develop the land in phases, the schedule of such phasing shall be presented for review at the time of the tentative plat. In acting on an application for tentative plat approval, the Planning Director or Development Review Board may set time limits for the completion of the phasing schedule which, if not met, shall result in an expiration of the tentative plat approval.”

Finding: These criteria will be satisfied by Condition of Approval PF 7

Explanation of Finding: No phasing for development or improvements to the subject property has been submitted. Due to this uncertainty the City is unsure how improvement responsibilities for different property owners will be handled. Condition of Approval PF 7 ensures appropriate phasing of improvements, including to Parkway Avenue and Printer Parkway, by requiring the property owner to enter into a development agreement with the City establishing the phasing of improvements.

Remainder Tracts

Subsection 4.210 (.01) E.

8. **Review Criteria:** “Remainder tracts to be shown as lots or parcels. Tentative plats shall clearly show all affected property as part of the application for land division. All remainder tracts, regardless of size, shall be shown and counted among the parcels or lots of the division.”

Finding: These criteria are satisfied.

Explanation of Finding: All affected property has been incorporated into the tentative partition plat.

related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.

Engineering Division Findings and Conditions:

Standard Comments	
PF 1.	For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).
PF 2.	Subdivision or Partition Plats: Paper copies of all proposed subdivision/partition plats shall be provided to the City for review. Once the subdivision/partition plat is approved, applicant shall have the documents recorded at the appropriate County office. Once recording is completed by the County, the applicant shall be required to provide the City with a 3 mil Mylar copy of the recorded subdivision/partition plat.
PF 3.	Subdivision or Partition Plats: All newly created easements shown on a subdivision or partition plat shall also be accompanied by the City's appropriate Easement document (on City approved forms) with accompanying survey exhibits that shall be recorded immediately after the subdivision or partition plat.
Specific Comments	
PF 4.	The City understands that the current application for land partition includes no plans for additional development of the property.
PF 5.	In the 2013 Transportation Systems Plan Parkway Avenue is identified as a Minor Arterial. Presently there exist a 67-ft right-of-way adjacent to the property, sufficient to accommodate future full street improvements. No further dedication is required.
PF 6.	In the 2013 Transportation Systems Plan Weidemann Road is identified as a Collector. Presently there exist a 42-ft half-street right-of-way adjacent to the property, sufficient to accommodate future full street improvements, should they occur. No further dedication is required.
PF 7.	A minor amendment to the 2013 Transportation System Plan, Ordinance 789, was adopted by Council on June 6, 2016 but not in affect at the time of this application for partition has added Printer Parkway as a Collector level roadway. To clarify future requirements and responsibilities for street improvements tied to future development both the Applicant, ScanlonKemperBard and the purchaser of the partitioned parcel shall enter into a development agreement with the City of Wilsonville.
PF 8.	Applicant shall provide the City with a public access easement on Printer Parkway for vehicle, bicycle and pedestrian ingress and egress.
PF 9.	Applicant shall be required to install a water meter and extend a domestic water line

	to Building 83 and pay all applicable City fees.
PF 10.	Presently the site is served via a private roadway system and a private fire protection water line system. It is recommended that owners of the proposed three parcels enter into reciprocal easements for joint use and maintenance of these private systems.

Case File #: AR16-0037

Approved:



7/7/16

Daniel Pauly, Associate Planner for
Chris Neamtzu, Planning Director

Date

Section 4.022(.01) of the Wilsonville Code provides that this decision may be appealed by the Applicant and party entitled to notice or adversely affected or aggrieved or called up for review by the Development Review Board. The notice of appeal shall indicate the nature of the action or interpretation that is being appealed or called up. The appeal shall regard a determination of the appropriateness of the action or interpretation of the Code requirements involved in the decision.

*Note: The decision of the Planning Director may be appealed by an affected party or by three (3) Board members in accordance with Section 4.017 except that the review shall be of the record supplemented by oral commentary relevant to the record presented on behalf of the Applicant and the Planning Director. Any appeal must be filed with the City Recorder within fourteen (14) calendar days of the notice of the decision. The notice of appeal shall be in writing and indicate the specific issue(s) being appealed and the reason(s) therefore. Should you require further information, please contact Daniel Pauly AICP, Associate Planner, with the City Planning Division at 503-682-4960. Last day to appeal: **4:00 P.M. on July 21, 2016.***

For more information, contact the Wilsonville Planning Division at 503-682-4960.

PARTITION PLAT NO. 2018-109

BEING A REPLAT OF PARCEL 1 OF
PARTITION PLAT 2015-083 IN THE
NE 1/4 AND SE 1/4 SECTION 11,
NW 1/4 AND SW 1/4
SECTION 12, T.3S., R.1W.,
WILLAMETTE MERIDIAN
CITY OF WILSONVILLE,
CLACKAMAS COUNTY, OREGON

SURVEYED JULY 11, 2018

LEGEND

- DENOTES 5/8" IRON ROD WITH YELLOW, PLASTIC CAP INSCRIBED "R. MEYER LS 1268" FOUND AND HELD FROM SN 22541 UNLESS OTHERWISE NOTED
- ⊙ DENOTES 1-1/8" BRASS DISC INSCRIBED "DEA INC" FOUND AND HELD FROM SN 27725 UNLESS OTHERWISE NOTED
- ⊗ DENOTES 5/8" IRON ROD WITH YELLOW, PLASTIC CAP INSCRIBED "DEA INC" FOUND AND HELD FROM SN 27725
- ⊚ DENOTES 5/8" IRON ROD WITH YELLOW, PLASTIC CAP INSCRIBED "DEA INC" INSIDE A MONUMENT BOX FOUND AND HELD FROM SN 27725
- ▲ DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "OTAK INC." FOUND AND HELD FROM PARTITION PLAT 2015-083
- DENOTES 3/4" x 3/4" IRON ROD WITH A 2" ALUMINUM CAP MARKED "OTAK INC." UNLESS OTHERWISE NOTED. SET ON JULY 10, 2018
- YPC DENOTES YELLOW PLASTIC CAP
- DOC. NO. DENOTES DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS
- CITY DENOTES CITY OF WILSONVILLE
- SN DENOTES PRIVATE SURVEY, CLACKAMAS COUNTY SURVEY RECORDS
- PP DENOTES PARTITION PLAT, CLACKAMAS COUNTY SURVEY RECORDS
- R1 DENOTES PP 2015-083

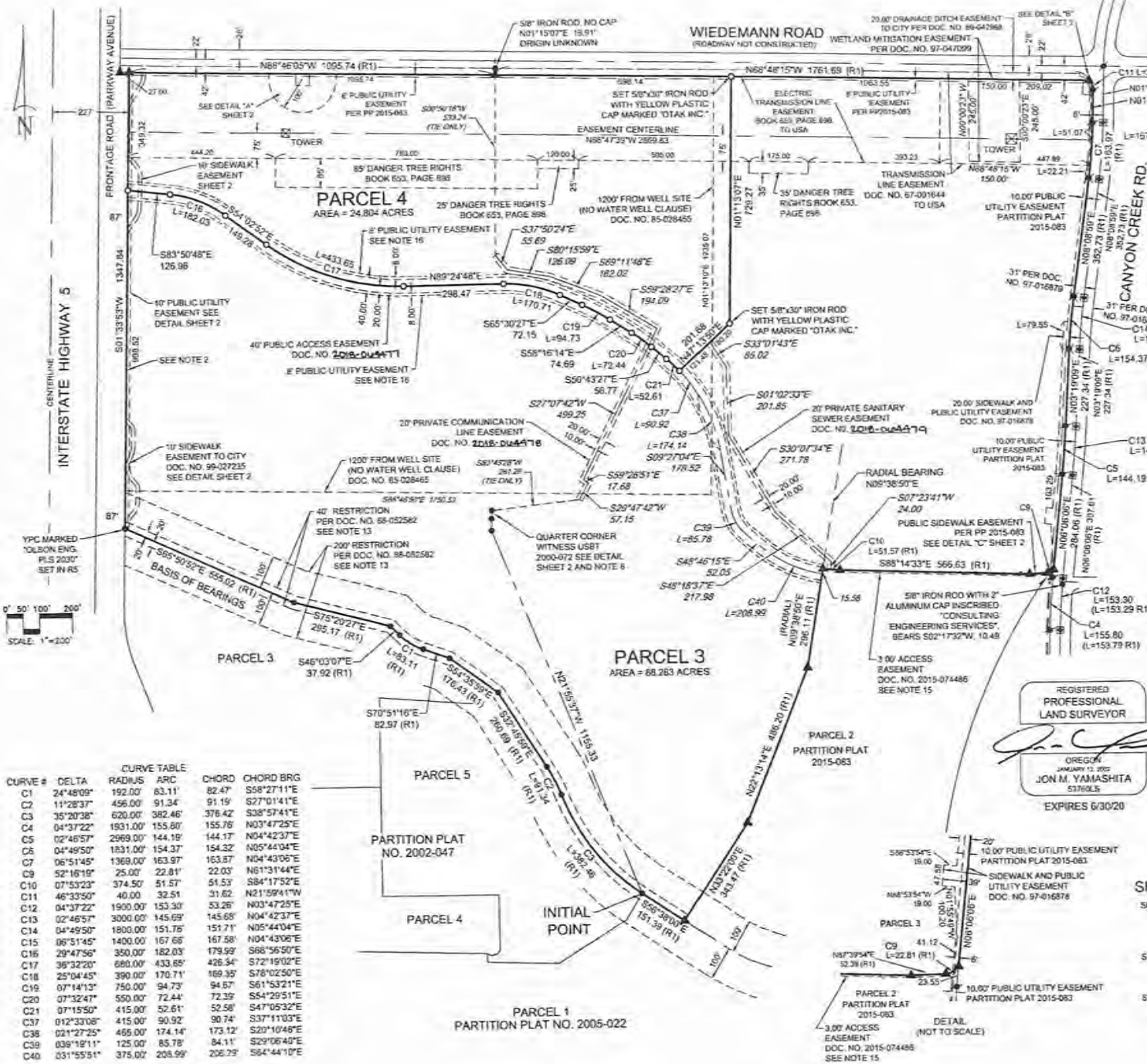
SHEET INDEX

- SHEET 1 BOUNDARY EASEMENTS CURVE DATA LEGEND
- SHEET 2 EASEMENT DETAILS NARRATIVE CURVE DATA
- SHEET 3 DECLARATION ACKNOWLEDGMENT APPROVALS SURVEYOR'S CERTIFICATE NOTES AND PLAT RESTRICTIONS



208 SW 3rd Ave., Ste. 300
Portland, Oregon 97204
Phone: (503) 287-6825
www.otak.com
project: 1768

SHEET 1 OF 3



REGISTERED PROFESSIONAL LAND SURVEYOR
Jon M. Yamashita
OREGON
JANUARY 13, 2003
JON M. YAMASHITA
53760LS
EXPIRES 6/30/20

CURVE #	DELTA	RADIUS	ARC	CHORD	CHORD BRG
C1	24°48'09"	192.00'	83.11'	82.47'	S58°27'11"E
C2	11°28'37"	456.00'	91.34'	91.19'	S27°01'41"E
C3	35°20'38"	620.00'	382.46'	376.42'	S38°57'41"E
C4	04°37'22"	1931.00'	155.80'	155.78'	N03°47'25"E
C5	02°46'57"	2969.00'	144.19'	144.17'	N04°42'37"E
C6	04°49'50"	1831.00'	154.37'	154.32'	N05°44'04"E
C7	06°51'45"	1369.00'	163.97'	163.87'	N04°43'06"E
C8	52°16'19"	25.00'	22.81'	22.03'	N61°31'44"E
C9	07°53'23"	374.50'	51.57'	51.53'	S84°17'52"E
C10	46°33'50"	40.00'	32.51'	31.82'	N21°59'11"W
C11	04°37'22"	1930.00'	155.80'	155.78'	N04°42'37"E
C12	02°46'57"	3000.00'	145.69'	145.68'	N04°42'37"E
C13	04°49'50"	1800.00'	151.76'	151.71'	N05°44'04"E
C14	06°51'45"	1400.00'	167.65'	167.58'	N04°43'06"E
C15	29°47'56"	350.00'	182.03'	179.59'	S68°56'50"E
C16	38°32'20"	680.00'	433.65'	426.34'	S72°19'02"E
C17	25°04'45"	390.00'	170.71'	169.35'	S78°02'50"E
C18	07°14'13"	750.00'	94.73'	94.57'	S61°53'21"E
C19	07°15'50"	550.00'	72.44'	72.39'	S54°29'51"E
C20	02°27'25"	415.00'	52.61'	52.58'	S47°05'32"E
C21	012°33'08"	415.00'	90.92'	90.74'	S37°11'03"E
C22	021°27'25"	465.00'	174.14'	173.12'	S20°10'49"E
C23	039°12'11"	125.00'	85.78'	84.11'	S29°06'40"E
C24	031°55'51"	375.00'	208.99'	206.79'	S64°44'10"E

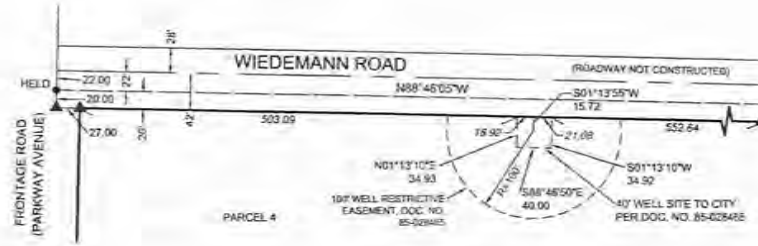
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SECTION 12, T.3S., R.1W., WILLAMETTE MERIDIAN
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

SURVEYED JULY 11, 2018

CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	CHORD BRG
C8	89°54'51"	40.00	62.89	56.81	N42°45'41"W
C11	46°20'50"	40.00	32.51	31.62	N01°58'41"W
C2	46°17'24"	80.00	50.49	49.13	N02°52'05"E
C21	42°43'55"	57.50	42.86	41.50	N02°38'50"E
C24	46°24'50"	22.50	19.08	18.51	N02°18'30"W
C25	16°17'00"	10.50	8.55	77.49	N08°52'25"W
C26	28°02'17"	57.50	28.14	27.86	N15°18'01"E
C27	36°19'58"	22.50	22.96	21.18	N08°48'12"W
C28	13°51'00"	82.50	15.11	15.07	N47°57'48"W
C29	31°28'42"	57.50	31.46	31.07	N18°35'58"E
C29	48°18'56"	57.50	48.34	48.93	N01°02'11"W
C31	46°28'49"	52.50	36.76	49.30	N02°08'45"W
C32	30°15'14"	82.50	15.19	14.72	N47°21'11"E
C33	30°14'07"	57.50	30.68	30.22	N18°11'51"E
C34	21°38'00"	25.00	9.30	9.33	S48°06'35"W
C35	30°44'15"	25.00	13.43	13.29	S72°18'45"W



EASEMENT DETAIL "A"
SCALE: 1"=100'

LEGEND

- DENOTES 5/8" IRON ROD WITH YELLOW, PLASTIC CAP INSCRIBED "R, MEYER LS 1288" FOUND AND HELD FROM SN 22941 UNLESS OTHERWISE NOTED
- DENOTES 1-1/8" BRASS DISC INSCRIBED "DEA INC." FOUND AND HELD FROM SN 27725 UNLESS OTHERWISE NOTED
- DENOTES 5/8" IRON ROD WITH YELLOW, PLASTIC CAP INSCRIBED "DEA INC." FOUND AND HELD FROM SN 27725
- ▲ DENOTES 5/8" IRON ROD WITH YELLOW, PLASTIC CAP INSCRIBED "OTAK INC." FOUND AND HELD FROM PARTITION PLAT 2015-083.
- DENOTES 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP INSCRIBED "OTAK INC." SET
- YPC DENOTES YELLOW PLASTIC CAP
- DOC NO DENOTES DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS
- CITY DENOTES CITY OF WILSONVILLE
- SN DENOTES PRIVATE SURVEY, CLACKAMAS COUNTY SURVEY RECORDS

NARRATIVE

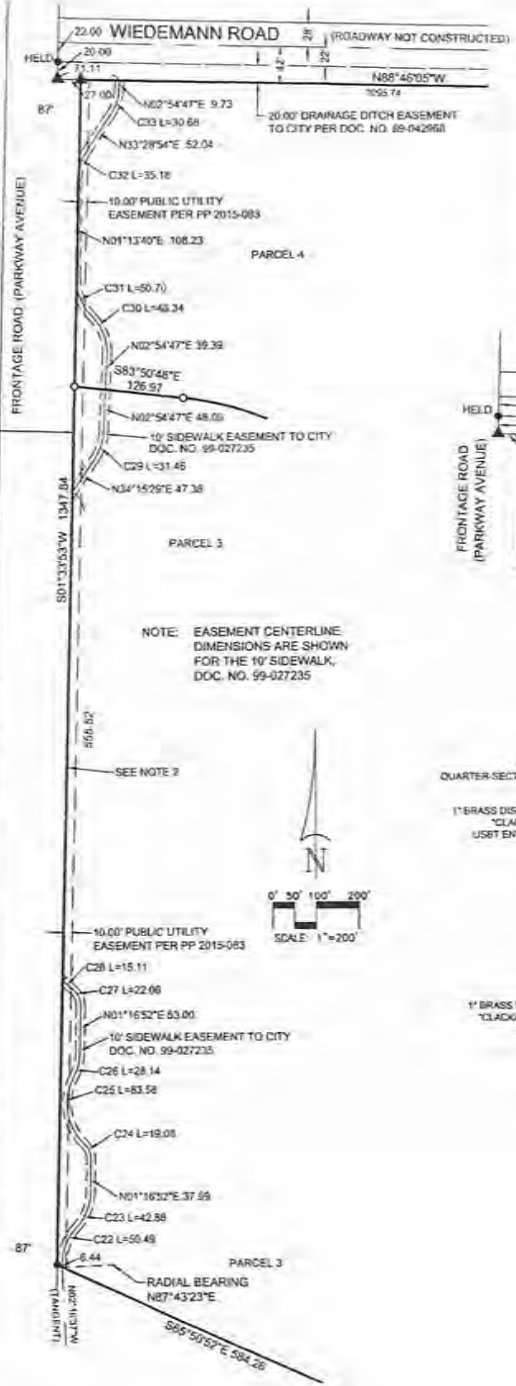
THE PURPOSE OF THIS SURVEY WAS TO CREATE TWO PARCELS FROM THAT TRACT OF LAND CONVEYED TO PARKWAY WOODS BUSINESS PARK LLC, A DELAWARE LIMITED LIABILITY COMPANY AND DESCRIBED BY THE STATUTORY SPECIAL WARRANTY DEED RECORDED DECEMBER 2, 2015, AS PPS NO. 2015-01593, CLACKAMAS COUNTY RECORDS, BEING PARCEL 1 OF PARTITION PLAT 2015-083. THE BASIS OF BEARINGS FOR THIS SURVEY (S65°50'52"E) IS THE SECOND MOST WESTERLY SOUTH LINE OF SAID PARCEL 1, PARTITION PLAT NO. 2015-083, HAVING THE SAME BASIS OF BEARING THEREIN, CLACKAMAS COUNTY PLAT RECORDS.

I HELD THE RECOVERED MONUMENTS AND RECORD DATA OR PARCEL 1 AS SHOWN ON PARTITION PLAT 2015-083 RECORDED AS DOCUMENT NO. 2015-074482, CLACKAMAS COUNTY PLAT RECORDS.

REGISTERED PROFESSIONAL LAND SURVEYOR
[Signature]
OREGON
JON M. YAMASHITA
5376LS
EXPIRES 6/30/20

Otak
808 SW 3rd Ave., Ste. 300
Portland, Oregon 97204
Phone: (503) 287-6825
www.otak.com
project: 1706

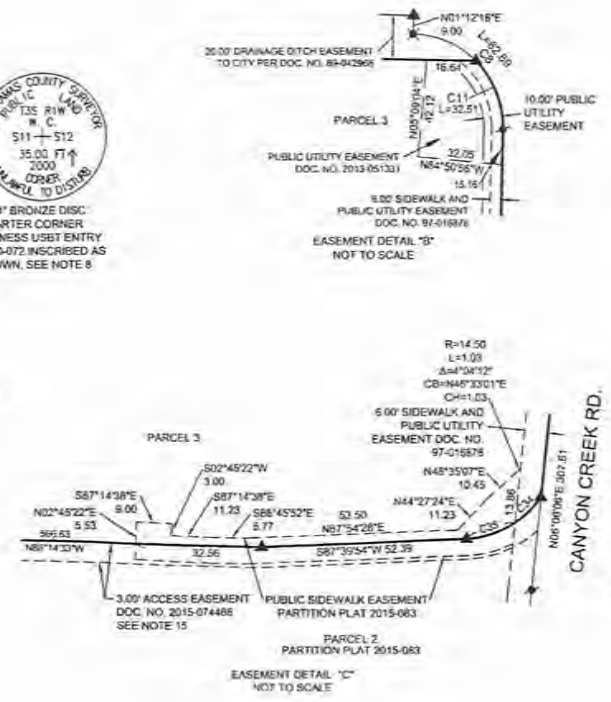
INTERSTATE HIGHWAY 5



NOTE: EASEMENT CENTERLINE DIMENSIONS ARE SHOWN FOR THE 10' SIDEWALK, DOC. NO. 99-027235



WITNESS CORNER DETAIL NOT TO SCALE



DECLARATION

KNOWN ALL PERSONS BY THESE PRESENTS, THAT PARKWAY WOODS BUSINESS PARK, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY DOES HEREBY MAKE, ESTABLISH AND DECLARE THE ANNEXED PARTITION PLAT AS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE TO BE A TRUE AND CORRECT MAP AND PLAT THEREOF, WITH EASEMENTS AND RESTRICTIONS AS SHOWN OR NOTED, AND HAS CAUSED THE PARTITION TO BE PREPARED AND THE PROPERTY PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92

BY: [Signature]
NAME: James Paul
TITLE: AUTHORIZED SIGNATORY
PARKWAY WOODS BUSINESS PARK, L.L.C.
A DELAWARE LIMITED LIABILITY COMPANY

ACKNOWLEDGMENT

STATE OF OREGON }
COUNTY OF CLATSOP }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON

September 10, 2018 BY

James Paul AUTHORIZED SIGNER FOR
PARKWAY WOODS BUSINESS PARK L.L.C. A DELAWARE LIMITED
LIABILITY COMPANY, ON ITS BEHALF

[Signature]
NOTARY SIGNATURE

Sharon Loofburrow
NOTARY PUBLIC - OREGON

COMMISSION NUMBER 908621

MY COMMISSION EXPIRES 10-17-21

NOTES AND PLAT RESTRICTIONS

- 1. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN THE CITY OF WILSONVILLE DEVELOPMENT REVIEW BOARD CASE FILE NO. 18-16-007.
- 2. THIS PLAT IS SUBJECT TO THE RELINQUISHMENT OF ACCESS PROVISIONS IN FAVOR OF THE STATE OF OREGON RESERVING ALL ACCESS RIGHTS BETWEEN THE DESCRIBED TRACT AND THE STATE HIGHWAY PER BOOK 448, PAGE 331, AND BOOK 454, PAGE 44, CLACKAMAS COUNTY DEED RECORDS.
- 3. PORTIONS OF THIS PLAT ARE SUBJECT TO A CITY OF WILSONVILLE ACCESS EASEMENT (BLANKET IN NATURE) FOR STORMWATER FACILITY MAINTENANCE AS DESCRIBED IN PARCEL ID DOCUMENT NO. 2005-020409, CLACKAMAS COUNTY DEED RECORDS.
- 4. THE CITY OF WILSONVILLE SEWER EASEMENT DESCRIBED IN DOCUMENT NO. 73-04321 AND DOCUMENT NO. 73-011855, CLACKAMAS COUNTY DEED RECORDS IS NOT SHOWN HEREIN DUE TO THE RIGHT OF WAY DEDICATION OF PARTITION PLAT 2015-083 ALONG THE EASTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 5 FRONTAGE ROAD NOW COVERS THEM IN THEIR ENTIRETY.
- 5. THIS PLAT IS SUBJECT TO THE APPLICABLE CONDITIONS OF A SIDEWALK EASEMENT AGREEMENT RECORDED IN DOCUMENT NO. 2015-074403, CLACKAMAS COUNTY RECORDS.
- 6. THIS PLAT IS SUBJECT TO A CITY OF WILSONVILLE RIGHT OF ENTRY OVER ITS ENTIRETY FOR ACCESS TO THE STORMWATER FACILITIES EASEMENT LOCATED SOUTHWEST OF THIS PLAT FOR INSPECTION AND MAINTENANCE OF SAID FACILITIES THEREIN AS RECORDED IN DOCUMENT NO. 2015-074404, CLACKAMAS COUNTY DEED RECORDS.
- 7. THIS PLAT IS SUBJECT TO THE APPLICABLE CONDITIONS OF THE DECLARATION OF UTILITY, FIRE PROTECTION, COMMUNICATIONS AND NEIGHBORIAL ACCESS EASEMENTS AS RECORDED IN DOCUMENT NO. 2015-074408, CLACKAMAS COUNTY DEED RECORDS, AND SUBJECT TO EASEMENTS PER ARTICLE (2) DECLARATION OF NEIGHBORIAL ACCESS EASEMENT, (3) DECLARATION OF UTILITY EASEMENT, (4) DECLARATION OF COMMUNICATIONS EASEMENT, (5) DECLARATION OF FIRE PROTECTION EASEMENT.
- 8. THE PUBLIC LAND SURVEY MONUMENT REFERENCE POINTS (ACCESSORIES) NOTED HERE ON MUST BE PROTECTED AND PRESERVED AT ALL TIMES. THAT MONUMENT IS A 3-1/4" BRONZE DISC WITNESS CORNER TO THE QUARTER CORNER COMMON TO SECTIONS 11 AND 12 OF T.3S., R.1W., W.M. AS NOTED IN USPT RECORD 298-072. ACCESS ONTO AND ACROSS PARCEL 3 FOR SURVEY PURPOSES SHALL BE ALLOWED AT ALL TIMES PURSUANT TO ORS 472.047, PROVIDED THAT NOTICE IS GIVEN TO THE OWNERS OF RECORD OR OCCUPANTS.
- 9. PARCELS 3 AND 4 ARE SUBJECT TO A PUBLIC ACCESS EASEMENT AGREEMENT PER DOCUMENT NO. 2018-044477, CLACKAMAS COUNTY DEED RECORDS.
- 10. PARCELS 3 AND 4 ARE SUBJECT TO A PRIVATE COMMUNICATION LINE EASEMENT AS SHOWN ON THE PLAT.
- 11. PARCEL 3 IS SUBJECT TO A PRIVATE SANITARY SEWER EASEMENT AS SHOWN ON THE PLAT.
- 12. DOC. NO. 84-5291, CONTAINS MULTIPLE EASEMENTS CROSSING THE PROPERTY TO THE SOUTH AND TERMINATING AT THE SOUTHERLY BOUNDARY OF PARCEL 3.
- 13. DOC. NO. 84-5282 DEFINES THE 4' RESTRICTION (REFERRED TO WITHIN AS A "BUFFER STRIP") AS AN AREA THAT NEITHER PARTY SHALL REMOVE ANY TREE OR CONSTRUCT, INSTALL OR SUBSTANTIALLY ALTER ANY IMPROVEMENT WITHIN IT FURTHER DEFINES THE 20' RESTRICTION (REFERRED TO WITHIN AS A "BUFFER ZONE") AS AN AREA WHERE IF EITHER PARTY DESIRES TO REMOVE ANY TREE, CONSTRUCT, INSTALL OR SUBSTANTIALLY ALTER ANY NEW OR EXISTING IMPROVEMENT THEY SHALL SUBMIT A WRITTEN PROPOSAL, INCLUDING PLANS AND SPECIFICATIONS TO BE APPROVED BY OTHER PARTY. SAID DOCUMENT DOES ALLOW FOR EACH PARTY TO REPAIR, MAINTAIN AND REPLACE ANY BELOW GROUND PIPES, CONDUITS, CULVERTS OR OTHER EXISTING UTILITY SYSTEMS OVER BOTH THE 4' AND 20' RESTRICTIONS, PROVIDED THE AREA IS KEPT NEAT AND ORDERLY AND THE SURFACE IS PROMPTLY RESTORED TO THE CONDITION EXISTING PRIOR TO THE EXCAVATION.
- 14. DOC. NO. 2015-074408 (GRANTS) BLANKET RECIPROCAL ACCESS, UTILITY AND COMMUNICATION EASEMENTS OVER ALL EXISTING AND FUTURE IMPROVEMENTS OF CORRESPONDING NATURE. SAID EASEMENTS AFFECT PARCELS 3 AND 4 CREATED HEREIN AND PARCEL 2 OF PARTITION PLAT 2015-083, CLACKAMAS COUNTY PLAT RECORDS.
- 15. ACCESS EASEMENT PER DOC. NO. 2015-074408 DECLINES A PERPETUAL, NON-EXCLUSIVE EASEMENT FOR FUTURE ACCESS TO PRINTER PARKWAY AND ALL OTHER ACCESS EASEMENT AREAS FROM PARCEL 3 HEREIN OVER THE AREA DEPICTED HEREON OVER PARCEL 2 OF PARTITION PLAT 2015-083, CLACKAMAS COUNTY PLAT RECORDS. IT FURTHER DECLINES ACCESS RIGHTS FROM SAID PARCEL 2 OVER AND NEWLY DEVELOPED ACCESS EASEMENT AREAS ON SAID PARCEL 3.
- 16. PARCELS 3 AND 4 ARE SUBJECT TO 8.60 FOOT WIDE PUBLIC UTILITY EASEMENTS AS SHOWN HEREIN.

SURVEYOR'S CERTIFICATE

I, JON M. YAMASHITA, HEREBY SAY THAT I HAVE CORRECTLY SURVEYED PARCEL 1 OF THE ANNEXED PARTITION PLAT NO. 2015-083, BEING A REPLAT OF SAID PARCEL 1, LOCATED IN THE NORTHEAST AND SOUTHWEST ONE-QUARTERS OF SECTION 11 AND THE NORTHWEST AND SOUTHWEST ONE-QUARTERS OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, THAT AT THE INITIAL POINT OF SAID SURVEY I FOUND AND HELD A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "R. MEYER LS 1258", SAID POINT BEING THE MOST NORTHERLY CORNER OF ADJOINING PARCEL 1, PARTITION PLAT NO. 2005-022, CLACKAMAS COUNTY PLAT RECORDS; THENCE FROM SAID INITIAL POINT ALONG THE NORTHERLY BOUNDARY OF SAID PARTITION PLAT NO. 2005-022 SOUTH 55°38'00" EAST 151.20 FEET; THENCE LEAVING SAID NORTHERLY LINE NORTH 33°22'00" EAST 343.47 FEET; THENCE NORTH 27°13'14" EAST 406.20 FEET; THENCE ALONG A LINE THAT IS RADIAL TO THE FOLLOWING COURSE HEREIN, NORTH 08°38'51" EAST 258.11 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE S1.57 FEET ALONG A 374.50 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING AN INTERNAL ANGLE OF 7°53'23" AND A CHORD BEARING SOUTH 84°17'52" EAST 31.53 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88°14'33" EAST 566.93 FEET; THENCE NORTH 87°36'54" EAST 52.39 FEET TO A POINT OF CURVATURE; THENCE 22.81 FEET ALONG A 25.90 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING AN INTERNAL ANGLE OF 52°16'19" AND A CHORD BEARING NORTH 61°31'44" EAST 23.02 FEET TO A POINT OF NON-TANGENCY ON THE WESTERLY RIGHT OF WAY OF CANYON CREEK ROAD AS DEDICATED IN DOCUMENT NO. 97-018879, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG SAID WEST RIGHT OF WAY LINE ALONG THE FOLLOWING EIGHT (8) COURSES: THENCE NORTH 00°09'00" EAST 284.06 FEET TO A POINT OF CURVATURE; THENCE 144.11 FEET ALONG A 2,569.00 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING AN INTERNAL ANGLE OF 7°46'37" AND A CHORD BEARING NORTH 04°43'37" EAST 144.17 FEET TO A POINT OF TANGENCY; THENCE NORTH 03°19'02" EAST 227.34 FEET TO A POINT OF CURVATURE; THENCE 154.37 FEET ALONG A 1,831.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING AN INTERNAL ANGLE OF 4°48'50" AND A CHORD BEARING NORTH 05°44'04" EAST 154.32 FEET TO A POINT OF TANGENCY; THENCE NORTH 08°08'29" EAST 352.73 FEET TO A POINT OF CURVATURE; THENCE 163.97 FEET ALONG A 1,369.00 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING AN INTERNAL ANGLE OF 8°14'45" AND A CHORD BEARING NORTH 04°43'00" EAST 163.87 FEET TO A POINT OF TANGENCY; THENCE NORTH 07°17'14" EAST 99.55 FEET TO A POINT OF CURVATURE; THENCE 32.51 FEET ALONG A 40.00 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING AN INTERNAL ANGLE OF 45°33'50" AND A CHORD BEARING NORTH 21°59'41" EAST 31.82 FEET TO A POINT OF NON-TANGENCY; THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF WISEMAN ROAD PER PARTITION PLAT 2015-083, CLACKAMAS COUNTY PLAT RECORDS, NORTH 88°48'15" WEST 1,761.89 FEET TO AN ANGLE POINT IN SAID SOUTH LINE; THENCE CONTINUING ALONG SAID SOUTH LINE NORTH 88°48'15" WEST 1,095.74 FEET TO THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 5 AS PER PARTITION PLAT 2015-083, CLACKAMAS COUNTY PLAT RECORDS; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE SOUTH 01°33'53" WEST 1,347.84 FEET TO A POINT ON THE NORTH LINE OF ADJOINING PARCEL 3, PARTITION PLAT NO. 2002-047, CLACKAMAS COUNTY PLAT RECORDS; THENCE ALONG SAID NORTHERLY LINE OF SAID PARTITION PLAT NO. 2002-047 ALONG THE FOLLOWING TEN (10) COURSES: SOUTH 65°50'52" EAST 555.00 FEET; THENCE SOUTH 75°20'27" EAST 285.17 FEET; THENCE SOUTH 48°03'00" EAST 37.80 FEET TO A POINT OF CURVATURE; THENCE 83.11 FEET ALONG A 192.00 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING AN INTERNAL ANGLE OF 24°48'09" AND A CHORD BEARING SOUTH 56°27'11" EAST 82.47 FEET TO A POINT OF TANGENCY; THENCE SOUTH 70°51'16" EAST 82.97 FEET; THENCE SOUTH 54°38'59" EAST 176.42 FEET; THENCE SOUTH 32°45'59" EAST 260.69 FEET TO A POINT OF CURVATURE; THENCE 91.34 FEET ALONG A 450.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING AN INTERNAL ANGLE OF 11°28'37" AND A CHORD BEARING SOUTH 27°01'40" EAST 91.19 FEET TO A POINT OF TANGENCY; THENCE 382.46 FEET ALONG A 600.00 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING AN INTERNAL ANGLE OF 35°20'30" AND A CHORD BEARING SOUTH 36°57'41" EAST 376.42 FEET TO THE INITIAL POINT.

CONTAINS 113.068 ACRES, MORE OR LESS.

[Signature]
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 53760

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JANUARY 12, 2022
JON M. YAMASHITA
53760.S
EXPIRES 6/30/20

PARTITION PLAT NO. 2018-109

BEING A REPLAT OF PARCEL 1 OF PARTITION PLAT 2015-083 IN THE NE1/4 AND SE1/4 SECTION 11, NW1/4 AND SW1/4 SECTION 12, T.3S., R.1W., WILLAMETTE MERIDIAN CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

SURVEYED JULY 11, 2018

APPROVALS

APPROVED THIS 13th DAY OF SEPT., 2018

BY [Signature]
CITY OF WILSONVILLE PLANNING DIRECTOR

APPROVED THIS 13th DAY OF SEPT., 2018

BY [Signature]
CITY OF WILSONVILLE COMMUNITY DEVELOPMENT DIRECTOR

APPROVED THIS 19th DAY OF OCTOBER, 2018

BY [Signature]
CLACKAMAS COUNTY SURVEYOR

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY ORS 32.085 HAVE BEEN PAID THROUGH JUNE 30, 2019

APPROVED THIS 18 DAY OF OCTOBER, 2018

CLACKAMAS COUNTY ASSESSOR & TAX COLLECTOR

BY [Signature]
DEPUTY

STATE OF OREGON)
CLACKAMAS COUNTY)

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD ON THE 19th DAY OF October, 2018 AT 2:00 O'CLOCK P.M.

AS PARTITION PLAT NO. 2018-109

DOCUMENT NO. 2018-064476

SHERRY HALL, CLACKAMAS COUNTY CLERK

BY [Signature]
DEPUTY

Otak
608 SW 3rd Ave., Ste. 300
Portland, Oregon 97204
Phone: (503) 287-8825
www.otak.com
project: 17605



\$118.00

10/19/2018 02:02:52 PM

D-E Cnt=1 Stn=2 COUNTER3
\$30.00 \$16.00 \$62.00 \$10.00

6 P
After recording, return to:
City of Wilsonville
Attn: City Recorder
29799 SW Town Center Loop East
Wilsonville, Oregon 97070

PUBLIC ACCESS EASEMENT

(Parcel 3 and Parcel 4, Partition Plat 2018- 109)

KNOW ALL BY THESE PRESENTS, that PARKWAY WOODS BUSINESS PARK, LLC, a Delaware limited liability company (hereinafter referred to as "Grantor"), as legal owner of that certain real property described below, for the consideration hereinafter stated, does hereby grant and convey unto the **City of Wilsonville**, a municipal corporation of the State of Oregon (hereinafter referred to as "Grantee"), for the use and benefit of the public, a non-exclusive, permanent public access easement ("Easement") effective the 19 day of OCTOBER, 2018, in, under, across, and along the full width and length of that certain land owned by Grantor and legally described as follows:

Portion of Parcel 3 and Parcel 4, Partition Plat No. 2018-109, as shown on the Location Map attached hereto as **Exhibit A** and incorporated by reference as if fully set forth herein, and legally described on Partition Plat No. 2018-109, as Document No. 2018-064477 in the Deed Records of Clackamas County, Oregon ("Easement Area").

The true and actual consideration paid for this Easement, stated in terms of dollars, is Zero Dollars but consists of or includes other property or value given or promised, which is agreed by Grantor to be the whole and adequate consideration.

TO HAVE AND TO HOLD the above-described Easement, to run with and burden the land in perpetuity, unto said Grantee for the benefit of the general public in accordance with the conditions and covenants as follows:

1. **Scope of Easement.** The Easement Area consists of a privately owned and maintained roadway. This Easement conveys the right and privilege to the public to have non-exclusive vehicular, pedestrian, and bicycle ingress and egress access on, over, across, and along said Easement Area. This Easement shall also allow the City of Wilsonville's public transit vehicles and busses to utilize the Easement Area as a part of its transit routes, including to pick up and drop off passengers. No buildings or impediments to free passage shall be constructed over or within the Easement Area, except as may be required by law. Grantor shall have the right to use the Easement Area for any and all purposes that do not unreasonably interfere with use of the public access easement granted hereunder. Without limiting the generality of the foregoing, Grantor shall have the right to grant utility easements within the Easement Area that do not interfere with the Grantee's public use.

{00573857;5}

Public Access Easement (Alleys and Private Roadways)

Parkway Woods - Printer Parkway

2. **Duration.** This Easement is perpetual and shall run with the land, except as provided in Section 4 below.

3. **Maintenance.** The Easement Area shall be maintained in a reasonable and acceptable manner serviceable for its use for public vehicle, pedestrian, and bicycle ingress and egress access by the Grantor.

4. **Grantee Rights and Termination.** Grantee shall have the right, but not the obligation, to enforce this Easement for the benefit of the general public. In the event Grantee determines this Easement no longer serves a public purpose, Grantee may terminate this Easement, in accordance with City Code and State law, by recording a Termination of Easement in the Deed Records of Clackamas County, Oregon. In the event the road in the Easement Area is publicly dedicated, the Easement shall terminate and be of no further force or effect.

5. **Legal Effect and Assignment.** This Easement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors, and assigns.

6. **Legal Action/Attorney Fees.** If a suit, action, or other proceeding of any nature whatsoever (including any proceeding under the U.S. Bankruptcy Code) is instituted in connection with any controversy arising out of this Easement or to interpret or enforce any rights or obligations hereunder, the prevailing party shall be entitled to recover attorney, paralegal, accountant, and other expert fees and all other fees, costs, and expenses actually incurred and reasonably necessary in connection therewith, as determined by the court or body at trial or on any appeal or review, in addition to all other amounts provided by law. Payment of all such fees shall also apply to any administrative proceeding, trial, and/or any appeal or petition for review.

7. **Jurisdiction.** This Easement will be governed in accordance with the laws of the State of Oregon. Venue for any suit, action, or proceeding of any nature to enforce any term of this Easement will be in Clackamas County Circuit Court.

8. **Nonwaiver.** Any failure to enforce any provision of this Easement will not be deemed a waiver of the right to enforce that provision or any other provision of this Easement.

9. **Severability.** If any provision of this Easement is found to be void or unenforceable, it is the intent of the parties that the rest of the Easement shall remain in full force and effect, to the greatest extent allowed by law.

10. **Modification.** This Easement may not be modified unless signed by Grantor and Grantee and the modification is recorded.

11. **Runs with the Land.** This Easement and the rights and obligations contained herein shall be perpetual as long as the Easement Area is utilized as a private roadway and shall run with the land.

12. **Time of the Essence.** Time is of the essence in performance of this Easement.

{00573857;5}

Public Access Easement (Alleys and Private Roadways)

Parkway Woods – Printer Parkway

Page 2

LEGAL_US_W # 94263789.1

13. **Recording.** The fully executed original of this Easement shall be duly recorded in the Deed Records of Clackamas County, Oregon.

14. **Authority.** The individuals executing this Easement on behalf of Grantor and Grantee each represent and warrant that he/she has the full power and authority to do so on behalf of the respective party and to bind said party to the terms of this Easement.

IN WITNESS WHEREOF, the undersigned have executed this Easement effective as of the date first above written.

GRANTOR:

PARKWAY WOODS BUSINESS PARK, LLC,
a Delaware limited liability company

By: Parkway Woods BP Venture, LLC,
a Delaware limited liability company
Its: Sole Member

By: SKB – Parkway Woods, LLC,
an Oregon limited liability company
Its: Managing Member

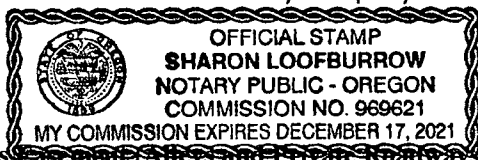
By: ScanlanKemperBard Companies, LLC,
an Oregon limited liability company
Its: Operating Manager

By: Todd M. Gooding
Print Name: TODD M. GOODING
Its: PRESIDENT

* President ^{SL}

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on Sept 18th ^{SL} 2018, by Todd M. Gooding as President of Operating Manager of ScanlanKemperBard Companies, LLC, an Oregon limited liability company, the operating manager of SKB – Parkway Woods, LLC, an Oregon limited liability company, the managing member of Parkway Woods BP Venture, LLC, a Delaware limited liability company, and the sole member of Parkway Woods Business Park, LLC, a Delaware limited liability company.



Sharon Loofburrow

{00573857;5}
Public Access Easement (Highways and Private Roadways)
Parkway Woods – Printer Parkway

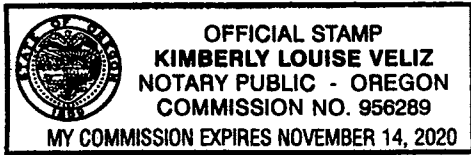
GRANTEE:

ACCEPTED on behalf of the public and Grantee by the City of Wilsonville, Oregon:


Bryan Cosgrove, City Manager


STATE OF OREGON)
) ss.
County of Clackamas)

This instrument was acknowledged before me on September 18, 2018, by Bryan Cosgrove, as City Manager of the City of Wilsonville.





Notary Public - State of Oregon

APPROVED AS TO FORM:


Barbara A. Jacobson, City Attorney

APPROVED AS TO LEGAL DESCRIPTION:


Nancy J.T. Kraushaar, P.E., City Engineer

{00573857;7}

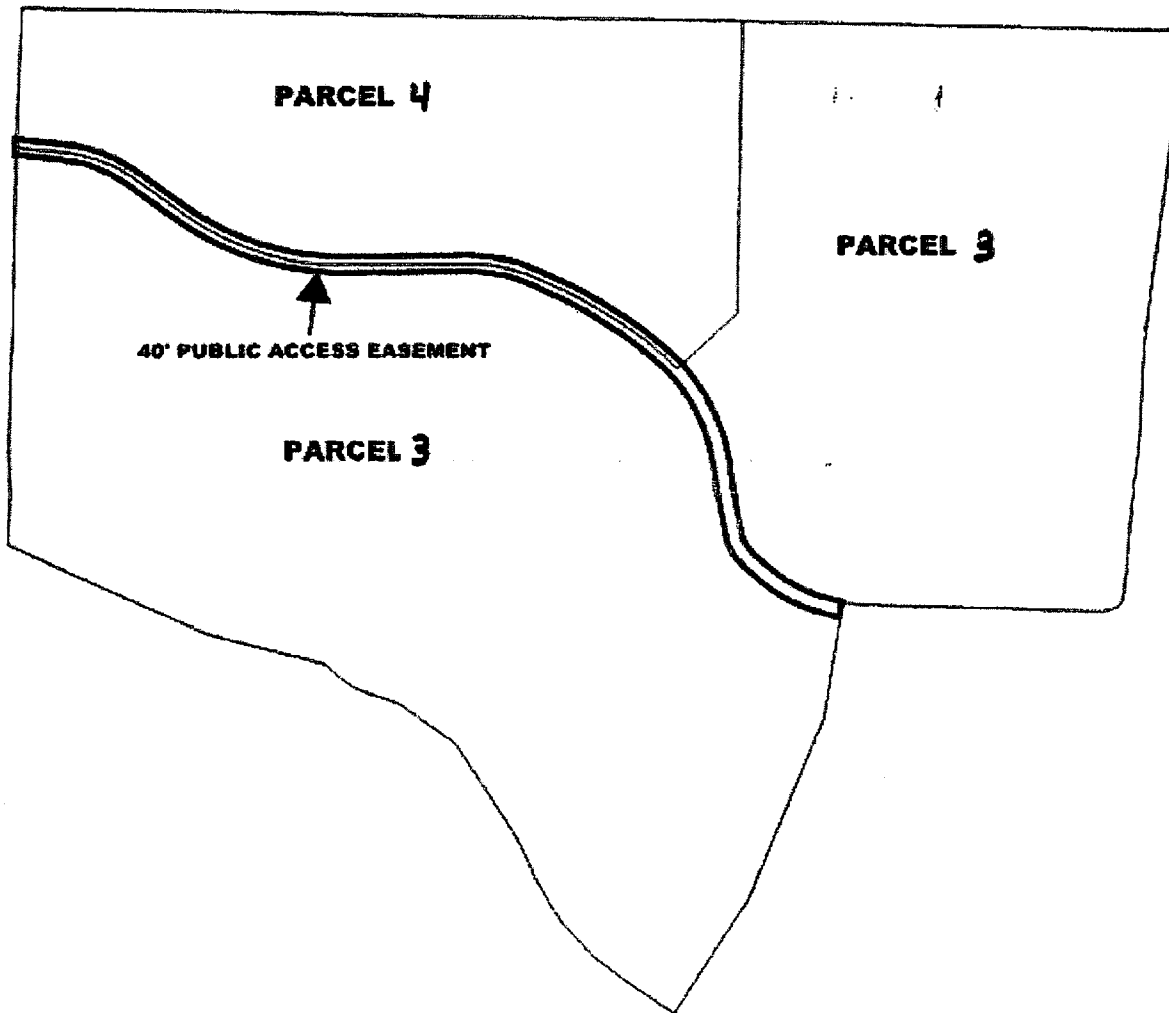
Public Access Easement Agreement (Alleys and Private Roadways)
Parkway Woods – Printer Parkway

EXHIBIT A

Location Map

PUBLIC ACCESS EASEMENT

(see PARTITION PLAT NO. 2018- 109 for actual detailed location)



{00573857;7}

Public Access Easement Agreement (Alleys and Private Roadways)
Parkway Woods – Printer Parkway

OCT 28 1997

RECEIVED

Tektronix Parking Lot Expansion Study

Prepared for



Prepared by

DKS Associates

October 1997

36 of 64

EXHIBIT
'I'

Planned Improvements

There are significant planned improvements in the vicinity of the proposed project:

- Canyon Creek Road is almost complete as a three lane collector and connects Boeckman Road and Elligsen Road. Tektronix will have access from existing parking lots to Canyon Creek Road.
- The I-5/Stafford interchange is under construction as part of ODOT's *Six Year Transportation Improvement Program*.² The improvement consists of a wider structure over I-5 to accommodate four through lanes, right turn lanes, and a single sidewalk along the south side of the roadway. Bicycle lanes are also being added to the overcrossing. The existing freeway on- and off-ramps have been relocated and lengthened for additional traffic storage capacity and for increased acceleration and deceleration capability. Loop on-ramps are being added for the westbound-to-southbound and eastbound-to-northbound movements, which will replace left turn movements at the existing diamond interchange, substantially improving capacity. This should be complete winter 1998.
- The I-5/Wilsonville Road interchange is currently under construction. The project will widen Wilsonville Road to include two through lanes in each direction with side-by-side left turn lanes under the I-5 structure, allowing full length left turn lanes to both the northbound and southbound on-ramps. As part of this project, Wilsonville Road will be widened between Town Center Loop West and Boones Ferry Road to five lanes. The City also has a project which will widen Wilsonville Road to five lanes between Boones Ferry Road and the railroad tracks to the west. The interchange project should be complete in 1998.

Other Improvements.

- The *Wilsonville Transportation Master Plan* shows Elligsen Road as a three or five lane collector. Elligsen Road should be constructed as five lanes west of Parkway Center Drive through the Stafford Interchange and as three/four lanes east of Parkway Center Drive.
- The *Wilsonville Transportation Master Plan* shows Parkway Avenue as three lanes. It is currently only two lanes in the project area.

Project Mitigation

- Half-street frontage improvements to Parkway Avenue, including bike lanes and sidewalks, consistent with City Master Plans.

² Oregon Department of Transportation, *1993-1998 Six Year Transportation Improvement Program*, page 63.

- Left turn lane access to northernmost site driveway on Parkway Avenue southbound.
- Development of site plans which provide, conflict-free pedestrian access from front doors to public right-of-way.
- Transportation demand management program, consistent with the Department of Environmental Quality's Employee Commute Options (ECO) rules, for employment uses on the site (could include rideshare program, installation of bicycle racks, flex time hours, transit stops, etc.)

Area-Wide Mitigation

These mitigation measures were identified in the *Tektronix Master Plan Transportation Impact Study*.³ The scope of these improvements are area-wide in nature and related to cumulative development. The project's payment of system development charges and participation in local improvement districts will be required to address some of these issues.

- Elligsen Road should be widened to five lanes west of Parkway Center Drive through the interchange and to three/four lanes east of Parkway Center Drive.
- Parkway Avenue/Boeckman Road needs a longer traffic signal cycle length (from 60 seconds to 90 seconds).

Tektronix Master Plan Project Oriented Mitigation

These mitigation measures were identified in the *Tektronix Master Plan Transportation Impact Study*.⁴ These improvements were identified as mitigation measures related to the Tektronix Master Plan.

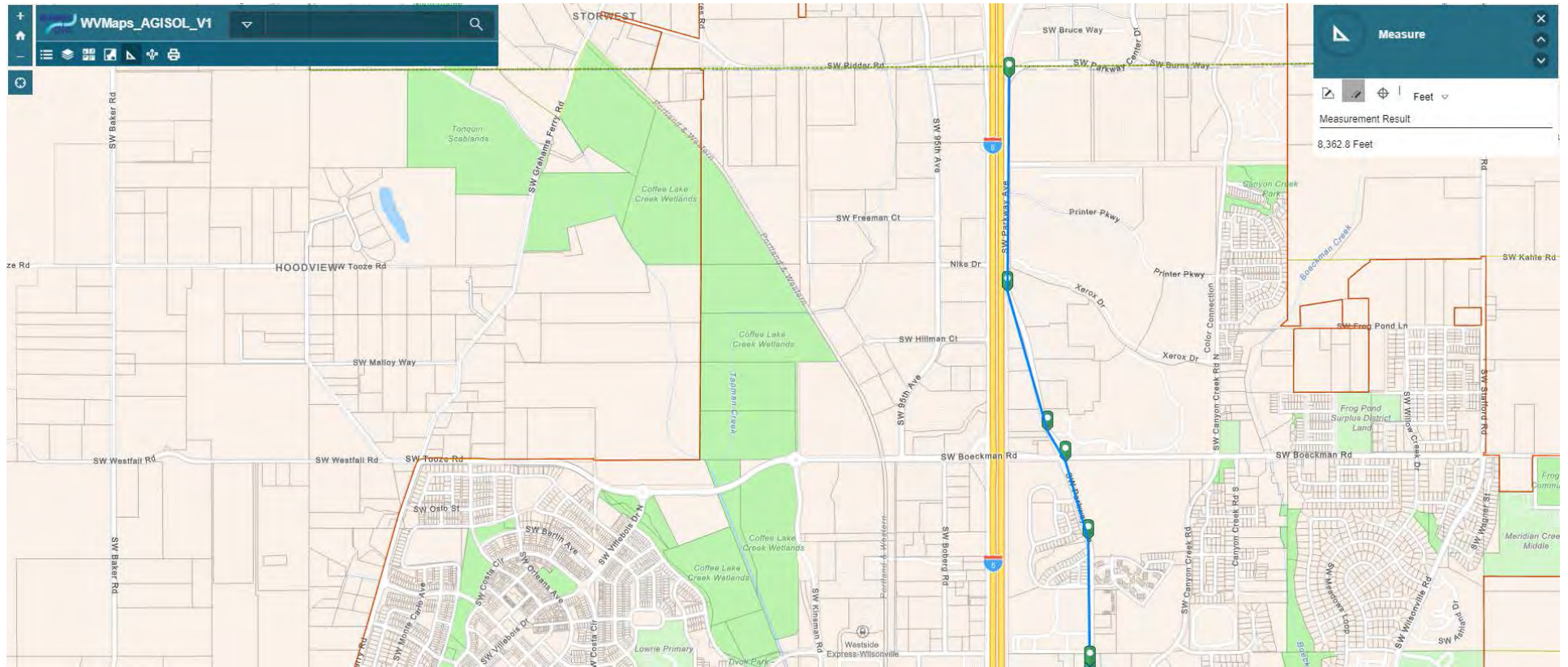
- More detailed site plans will be necessary as the project proceeds to determine adequacy of driveways, stacking, circulation, sight distance, left turn lane and right turn lane needs. Approval of these access needs can only occur following review of more detailed plans.
- The site plan development of the service commercial should integrate pedestrian accessibility to adjacent employment and housing to the maximum extent possible.
- As part of the site plan development, pedestrian linkages from the front doors of each building to the public sidewalks and adjacent commercial uses should be provided. These accessways

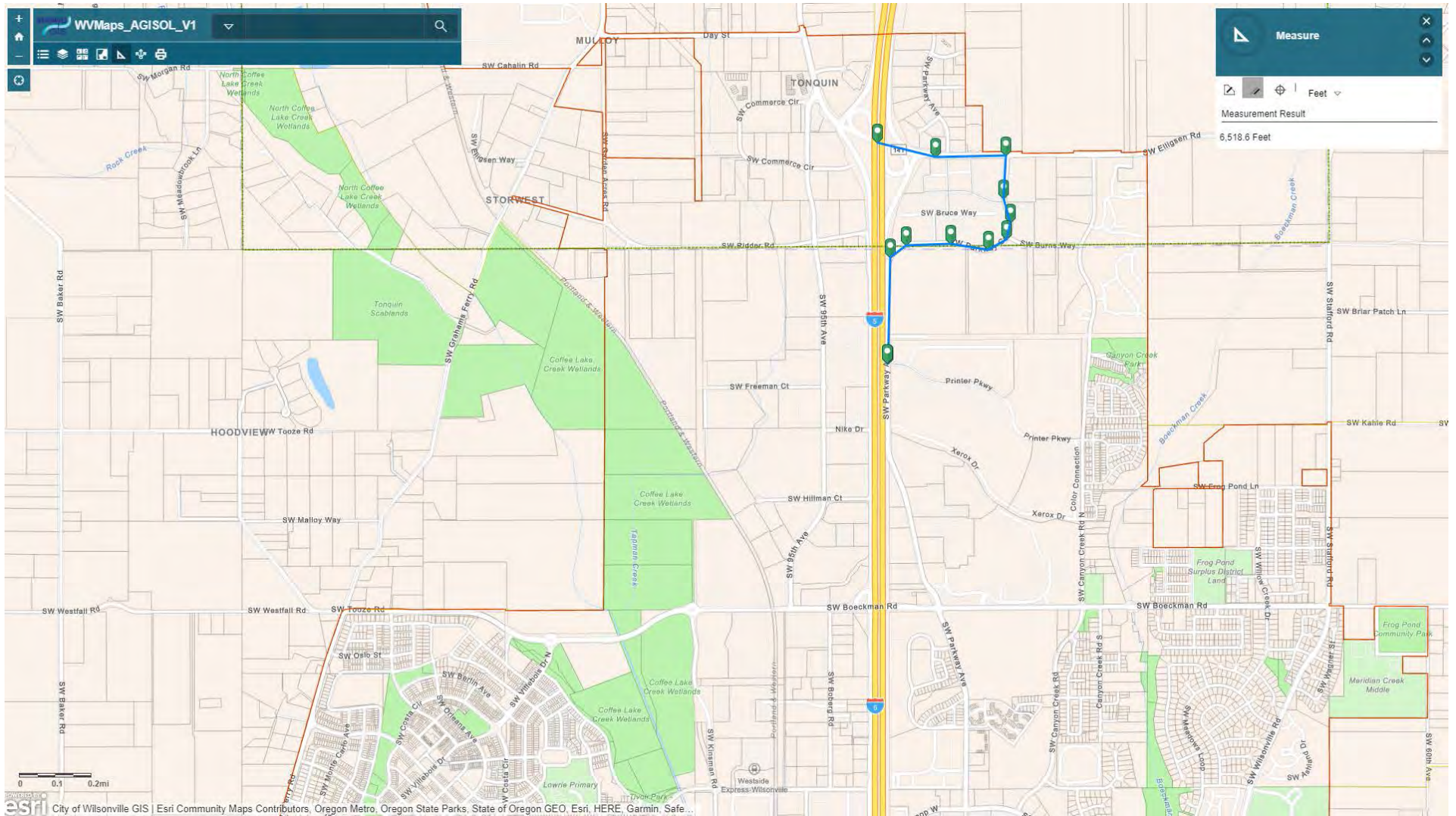
³ *Tektronix Master Plan Transportation Impact Study*, City of Wilsonville, DKS Associates, July, 1995.

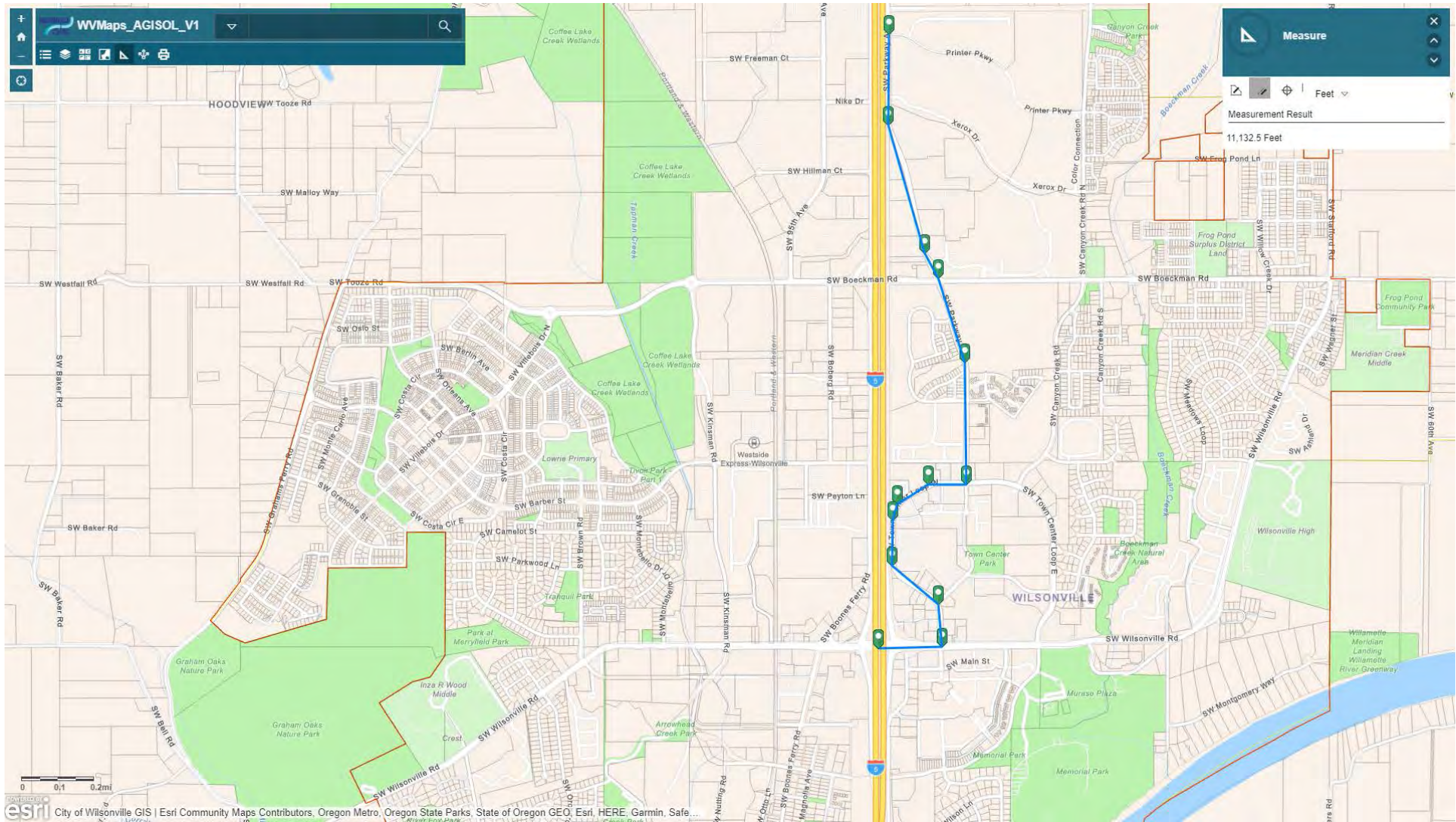
⁴ *Tektronix Master Plan Transportation Impact Study*, City of Wilsonville, DKS Associates, July, 1995.

should provide direct paths between activity areas, minimize vehicle crossing conflicts and incorporate raised pedestrian crossings, as appropriate.

- Parkway Loop/Elligsen Road needs a longer cycle length (from 60 seconds to 90 seconds) and an additional NB left turn lane.
- Wiedemann Road should be extended from Parkway Avenue to Canyon Creek Road to improve public and project mixed-use circulation around the site.
- No access would be allowed onto Parkway Avenue between Wiedemann Road and Tektronix Drive. These two access points exist today and are approximately 600 feet apart. The Transportation Master Plan access spacing requirements for minor arterials (which Parkway Avenue is designated) is 600 feet.
- Minimum access spacing on Wiedemann Road and Canyon Creek Road should be 100 feet, per the Transportation Master Plan.







Printer Parkway Linear Feet (Based on Preliminary Partition Plat (Page 31, Ex B of Application))

	Length		Totals
	124.03		
	163.05		
	149.28		
To Proposed Development Prop Line	94.25	10 driveway	540.61
	362.68		
	298.47		
	154.73		
	72.15		
	90.12		
	74.69		
	67.63		
Through ESS Property Line	56.77	52.61	1760.46
	130.91		
	90.92		
	160.47		
	178.52		
	110.83		
	52.05		
To Xerox Property Line	229.1		2660.65
	51.57		
	566.63		
	52.39		
To Canyon Creek Road	22.81		3354.05



JUNE 20, 2022

Amy Pepper
City of Wilsonville
29799 Town Center Loop East
Wilsonville, OR 97070



SUBJECT: PARKWAY WOODS INDUSTRIAL DEVELOPMENT – PROPORTIONATE SHARE EVALUATION FOR TRANSPORTATION IMPROVEMENTS

BACKGROUND

A transportation impact analysis (TIA) was conducted for the proposed Parkway Woods flex industrial building to be located in the northwest portion of the Parkway Woods Business Park in Wilsonville, Oregon.¹ The project will consist of approximately 91,773 square-feet of industrial manufacturing space with a tenant to-be-determined. The site will have access driveways on Printer Parkway and Xerox Drive. Today, both Printer Parkway and Xerox Drive are private roads.

The TIA recommended southbound left-turn lanes on SW Parkway Avenue at Printer Parkway and Xerox Drive be constructed to address safety concerns of high speed (45 MPH) southbound through traffic on SW Parkway Avenue conflicting with southbound left-turning vehicles at the Printer Parkway and Xerox Drive intersections. The AM peak hour vehicle volumes at the two intersections were found to meet the left-turn lane volume criteria established by ODOT in their Analysis Procedures Manual (APM).²

After the TIA was conducted, the applicant had Kittelson & Associates provide a review of the TIA.³ Kittelson suggested that up to 20% of the trip assignment should be removed from SW Parkway Avenue and shifted to Canyon Creek Road to the east of the site. After receiving the TIA review letter, DKS agreed that the suggested trip assignment of 20% on Canyon Creek Road was appropriate and accordingly revised the original Parkway Woods TIA⁴ to reflect the trip assignment suggested by Kittelson. The project applicant then revised their site plan by increasing the total building square footage, thereby increasing the site’s trip generation, and necessitating a revision to the DKS TIA.⁵ Kittelson also provided a revised review that addressed the site plan and trip generation revisions.⁶

This memorandum provides DKS’ proportionate share (i.e., financial responsibility) evaluation and recommendations for the recommended left-turn lanes on SW Parkway Avenue as well as the

¹ Parkway Woods, Transportation Impact Analysis, DKS Associates, July 2022.

² Analysis Procedures Manual, Chapter 12.2, Oregon Department of Transportation, June 2022.

³ Parkway Woods TIA Review, Kittelson & Associates, July 13, 2022.

⁴ Parkway Woods, Transportation Impact Analysis, DKS Associates, September 2022.

⁵ Parkway Woods Revision, Transportation Impact Analysis, DKS Associates, January 2023.

⁶ Parkway Woods TIA Review, Kittelson & Associates, December 7, 2022.



project transportation improvements, inclusive of the addition of the building square footage and revised trip distribution. Other improvements, such as undergrounding, street trees, street lighting, and stormwater are not included in this evaluation. Additionally, construction responsibility of the improvements will be outlined in a separate Development Agreement between the City and Developer.

SAFETY NEEDS ON SW PARKWAY AVENUE

The City Development Code requires developments to ensure public safety.⁷ The recommendations for the left-turn lanes at Printer Parkway and Xerox Drive are based on the need for safe vehicle movements on SW Parkway Avenue. Vehicles on SW Parkway Avenue travel at higher speeds as the posted speed is 45 mph. On higher volume and higher speed roadways, left turning traffic can become a major safety concern. Because the major road traffic is free flowing and is typically traveling at higher speeds, crashes that do occur are often severe. The main crash types include collisions of vehicles turning left across opposing through traffic and rear-end collisions of vehicles turning left with other vehicles following closely behind. According to the Transportation Research Board *Access Management Manual*, 47% of crashes at driveways involve vehicles making left turns into a site.⁸ Based on the Highway Safety Manual, a left turn lane at an unsignalized intersection or driveway can reduce all types of crashes by 33% (for all movements and types).⁹

LEFT-TURN LANE AT PRINTER PARKWAY

Currently, both Printer Parkway and Xerox Drive are private roads. However, the 2013 Wilsonville Transportation Plan (TSP) calls for Printer Parkway to become a public street as fronting properties are developed. Because a left-turn lane at Printer Parkway would then serve public traffic, a proportionate share of the southbound left-turn lane is appropriate.

The following table shows the left-turn lane volumes at SW Parkway Avenue/Printer Parkway for the AM peak hour for the Existing, Stage II, and Project trips. The Existing volumes refer to the current volume of vehicles that turn left off SW Parkway Avenue onto Printer Parkway (private road) that represent only the traffic traveling to the current Parkway Woods developments. The Existing volumes were represented this way because there is already some level of existing, traffic-generating land uses in the Parkway Woods Business Park. Therefore, the proposed development by SKB, which is located within the greater Parkway Woods Business Park, should only be responsible for their proportion of trips relative to the other existing Parkway Woods Business Park developments.

The AM peak hour is the peak period when the southbound left-turn lane criteria is met as identified in the TIA (dated January 2023). It should be noted that while AM peak hour trips are not

⁷ City of Wilsonville Development Code, Chapter 4, Section 4.175.

⁸ Exhibit 1-14, Access Management Manual 2nd Edition, Transportation Research Board.

⁹ List of Proven Safety Countermeasures by the Federal Highway Administration and the Oregon Department of Transportation list of Crash Reduction Factors.

documented on the City’s Stage II list, the future Twist Bioscience development was identified by the City as an upcoming project that will add vehicle traffic to the nearby area and the AM peak hour trips for that in-process land use was included in this analysis and considered as “Stage II” trips. The trip distribution at SW Parkway Avenue/Printer Parkway is based on the revised TIA trip distribution and increased building square footage.

TABLE 1: SOUTHBOUND LEFT-TURN LANE VOLUMES (AM PEAK HOUR)

SCENARIO	EXISTING*	STAGE II (TWIST BIOSCIENCE ONLY)	PROJECT (PARKWAY WOODS)	TOTAL LEFT-TURN VOLUMES	PERCENT OF PARKWAY WOODS PROJECT TRIPS
SW Parkway Ave/ Printer Pkwy	47	25	13	85	15.3%

*Volume is number of vehicles that turn left off SW Parkway Avenue onto Printer Parkway (private road); ideally captures only traffic traveling to current Parkway Woods developments on Printer Parkway

LEFT-TURN LANE AT XEROX DRIVE

At the Xerox Drive intersection, the road will remain a private road even with the development of the subject property. This would make the left-turn lane at Xerox Drive an improvement that exclusively serves private development traffic destined for uses located along Xerox Drive. The existing and proposed private developments along Xerox Drive are the reason the left-turn lane at Xerox Drive is necessary. Therefore, private development should bear the full cost (100%) of the left-turn lane at Xerox Drive to mitigate safety related impacts from the existing and proposed development traffic. While not relevant to assignment of public/private responsibility, it should also be noted that the private developments that utilize Xerox Drive are owned by the same entity.

FRONTAGE IMPROVEMENTS

Section 4.177 of the Wilsonville Code requires that street improvements occur with development, including redevelopment. It is anticipated that all existing streets will require complete reconstruction to be brought up to urban standards. Development is responsible for the proportionate share associated with the half-street improvement.

SW Parkway Avenue is designated as a minor arterial as shown in Figure 3-2 of the City’s TSP. The urban standard for a minor arterial adjacent to the I-5 freeway includes buffered bike lanes on both sides of the street, two travel lanes, a center median/turn lane, a planter strip, and sidewalk east side of the right-of-way.

SW Printer Parkway is designated as a collector as shown in Figure 3-2 of the City’s TSP., which is to be dedicated to the City as a public street as development occurs. The urban standard for a collector includes sidewalks, planter strips, and bike lanes on both sides of the right-of-way, 2 travel lanes and a center median/turn lane.

SIDEWALKS AND BIKE LANES (HALF-STREET) ON SW PARKWAY AVE

SW Parkway Avenue does not have a bike lane along the frontage. There is an existing meandering sidewalk; however, it does not meet current American with Disabilities Act (ADA) requirements. The construction of new sidewalks and on-street buffered bike lanes on SW Parkway Avenue along the project frontage are to be the full (100%) responsibility of the developer based on the requirement for these facilities as identified in City Development Code 4.177(.03) and (.04), respectively.

ROADWAY (HALF-STREET) ON SW PARKWAY AVE

A proportionate share is an appropriate application for the remaining half-street roadway construction (24 feet paved width, as measured from the face of curb, minus the 8-foot buffered bike lane) along the project frontage on SW Parkway Avenue. The proportionate share should be based on the proportionate share of trips of the existing private developments on-site along with the proposed Parkway Woods Development. The calculations for this are shown in the following table and are based on PM peak hour volumes, including the revised TIA trip distribution and increased building square footage.

TABLE 2: PM PEAK HOUR VEHICLE TRIPS ON SW PARKWAY AVENUE

LOCATION	EXISTING*	STAGE II (TWIST BIOSCIENCE)	PROJECT (PARKWAY WOODS INDUSTRIAL BUILDING)	TOTAL VOLUMES	PERCENT OF PARKWAY WOODS PROJECT TRIPS
SW Parkway Avenue, north of Printer Parkway	80	43	25	148	-
SW Parkway Avenue, south of Xerox Drive	37	43	25	105	-
TOTAL	117	86	50	253	19.8%

*Volumes only represent traffic traveling to/from the current Parkway Woods developments accessed via Printer Parkway and Xerox Drive; does not include existing through traffic on SW Parkway Avenue.

For a vacant parcel that is developed within the City of Wilsonville, the City Code requires half street improvements to be fully funded and constructed by the development. However, because the proposed development by SKB is located within the greater Parkway Woods Business Park, a proportionate share based on the other existing land uses within the Parkway Woods Business Park is appropriate. Therefore, the Existing volumes on SW Parkway Avenue in the table above only represent traffic traveling to/from the current Parkway Woods developments accessed via Printer Parkway and Xerox Drive. The existing through traffic on SW Parkway Avenue is not related to the Parkway Woods Business Park and was not included in the frontage improvement calculations for this reason.

IMPROVEMENTS (HALF-STREET) ON PRINTER PARKWAY

Printer Parkway is currently a private street, not constructed to public street standards. The half-street improvements (sidewalks, bike lane, and roadway) on Printer Parkway along the project frontage are to be the full (100%) responsibility of the developer based on the requirement for the facility to comply with the City TSP and Public Work Standards.



RECOMMENDATIONS

Below is a summary of the proportionate share recommendations for transportation improvements associated with the Parkway Woods industrial building development.

- The development should pay a proportionate share of the southbound left-turn lane on SW Parkway Avenue at Printer Parkway, which will become a public street fronting the property in the relatively near future. The calculated proportionate share is 15.3% (Table 1).
- The private development should bear the full cost (100%) of the southbound left-turn lane on SW Parkway Avenue at Xerox Drive, due to it being, and remaining, a private road that is solely for private development access.
- The development should bear the full cost (100%) of the sidewalks and on-street buffered bike lanes along the project frontage on the east side of SW Parkway Avenue.
- The development should pay a proportionate share cost of the half-street roadway construction (16 feet width) along the project frontage on SW Parkway Avenue. The calculated proportionate share is 19.8% (Table 2).
- The development should bear the full cost (100%) of the half-street improvements on Printer Parkway consistent with the City TSP and Public Works standards.

Please let us know if you have any questions.

Scott Mansur

Principal, DKS Associates

Engineering Conditions and Requirements for Proposed Development

From: Amy Pepper, PE Development Engineering Manager

To: Georgia McAlister, Associate Planner

Date: June 9, 2023

Proposal: Parkworks Industrial, 91,773 sq ft industrial building

Engineering Division Conditions:

Request: DB22-0009 Preliminary Development Plan

PFA 1.	Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
PFA 2.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing street improvements along Parcel 5 and Parcel 6’s frontage on SW Parkway Avenue, including street widening to accommodate a travel lane, one center median, curb, planter strip, street trees, buffered bike lane, sidewalk, streetlights and associated stormwater facilities, along the site frontage on SW Parkway Avenue. Street improvements shall be constructed in accordance with the Public Works Standards. Consistent with the proportionality analysis, any oversized street improvements are eligible for System Development Charge (SDC) Credits and/or reimbursement from the City. When eligible, SDC credits will be issued in accordance with City Code Section 11.110. <u>Prior to final completeness of the Public Works Permit:</u> All street improvements shall be constructed, inspected and approved by the City.
PFA 3.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing the closure of the existing driveway onto SW Parkway Avenue. The development shall take access via a drive aisle that connects Printer Parkway and Xerox Drive.
PFA 4.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing southbound left-turn lane improvements up to 75 feet in length along SW Parkway Avenue to facilitate southbound left-turn movements as the intersection of SW Parkway Avenue and Printer Parkway. Consistent with the proportionality analysis, any oversized street improvements constructed above the applicant’s proportionate share shall be eligible for System Development Charge (SDC) Credits and/or reimbursement from the City. When eligible, SDC credits will issued in accordance with City Code Section 11.110. <u>Prior to final completeness of the Public Works Permit:</u> All street improvements shall be constructed, inspected and approved by the City.
PFA 5.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing southbound left-turn lane improvements up to 75 feet in length along SW Parkway Avenue to facilitate southbound left-turn movements as the intersection of SW Parkway Avenue and Xerox Drive. Left-turn lane improvements at this intersection serve other properties and may be eligible for reimbursement in



	accordance with City Code Section 3.116. <u>Prior to final completeness of the Public Works Permit:</u> All street improvements shall be constructed, inspected and approved by the City.
PFA 6.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing separate domestic, irrigation and fire services to serve the new building. All fire hydrants needed to serve the new development shall be publically owned and located in a public water pipeline easement, if necessary. <u>Prior to final completeness of the Public Works Permit:</u> All water system improvements shall be constructed, inspected and approved by the City.
PFA 7.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing street improvements along proposed Parcel 5's frontage on SW Printer Parkway, including street widening to accommodate two travel lanes, curb, planter strip, street trees, sidewalk, streetlights and associated stormwater facilities, along the site frontage on Printer Parkway. Street improvements shall be constructed in accordance with the Public Works Standards. <u>Prior to final completeness of the Public Works Permit:</u> All street improvements shall be constructed, inspected and approved by the City.
PFA 8.	<u>With the Public Works Permit application:</u> Submit construction plans to Engineering showing bus stop improvements along Printer Parkway including a bench, shelter and pedestrian lighting in accordance with City Code Section 4.177(.06)(B). <u>Prior to final completeness of the Public Works Permit:</u> All bus stop improvements shall be installed, inspected and approved by the City.
PFA 9.	<u>With the Public Works Permit application:</u> A final stormwater report shall be submitted for review and approval. The stormwater report shall include information and calculations to demonstrate how the proposed development meets the treatment, flow control, and source control requirements for all new or replacement impervious areas. <u>Prior to final completeness of the Public Works Permit:</u> All stormwater facilities shall be installed, inspected and approved by the City.
PFA 10.	<u>Prior to Issuance of any other City Permits:</u> Applicant shall obtain an NPDES 1200C permit from the Oregon Department of Environmental Quality and a Local Erosion Control Permit from the City of Wilsonville. All erosion control measures shall be in place prior to starting any construction work, including any demolition work. Permits shall remain active until all construction work is complete and the site has been stabilized.
PFA 11.	<u>With the Public Works Permit application:</u> The construction drawings shall show vaults and conduit for City Fiber in the SW Parkway Avenue right-of-way. <u>Prior to final completeness of the Public Works Permit:</u> All conduit and vaults necessary for City Fiber shall be installed, inspected and approved by the City.
PFA 12.	<u>With the Public Works Permit:</u> The construction drawings shall show all existing overhead utilities along the proposed development's frontage on SW Parkway Avenue will be placed underground. <u>Prior to final completeness of the Public Works Permit:</u> All existing overhead utilities along the proposed development's frontage on SW Parkway Avenue shall be placed underground.

PFA 13.	<u>With the Public Works Permit:</u> The applicant shall provide to the City a copy of correspondence that plans have been distributed to the franchise utilities. <u>Prior to the issuance of the Public Works Permit:</u> The applicant shall have coordinate the proposed locations and associated infrastructure design for the franchise utilities. Should permanent/construction easement or right-of-way be required to construct or relocate a franchise utility, the applicant shall provide a copy of the recorded documents.
PFA 14.	<u>Prior to Any Paving:</u> Onsite stormwater facilities must be constructed and vegetated facilities planted. <u>Prior Issuance of Final Building Certificate of Occupancy:</u> The applicant must execute and record with the County a Stormwater Maintenance and Access Easement Agreement with the City.
PFA 15.	<u>Prior to Any Paving:</u> Offsite stormwater facilities must be constructed and vegetated facilities planted. <u>Prior Issuance of Final Building Certificate of Occupancy:</u> The applicant must execute and record with the County a Stormwater Maintenance Agreement with the City.
PFA 16.	<u>Prior to Final Building Certificate of Occupancy:</u> The applicant shall record a 36.5-foot right-of-way dedication along Printer Parkway from Parkway Avenue to the western property line of Parcel 2 of Partition Plat 2015-083.
PFA 17.	<u>Prior to Final Building Certificate of Occupancy:</u> The applicant shall dedicate an 8-foot public utility easement along the Printer Parkway right-of-way from Parkway Avenue to the western property line of Parcel 2 of Partition Plat 2015-083.
PFA 18.	<u>Prior to Issuance of Any Occupancy Permits:</u> All public infrastructure improvements including but not limited to street, stormwater drainage, water quality and flow control, sanitary sewer, and water facilities shall be substantially complete with approval from the Community Development Director pursuant to Section 4.220 of the Development Code.
PFA 19.	<u>Prior to Issuance of Any Occupancy Permits:</u> All necessary easements shall be recorded with the County, including public water line, public access, public utility, stormwater maintenance and access easements and all private utility easements.
PFA 20.	<u>Prior to Issuance of Final Building Certificate of Occupancy:</u> The applicant shall provide a site distance certification by an Oregon Registered Professional Engineer for all driveway access per the Traffic Impact Study.

Exhibit C1
Public Works Plan Submittal Requirements
and Other Engineering Requirements

1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards - 2017.
2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

Coverage (<i>Aggregate, accept where noted</i>)	Limit
<u>Commercial General Liability:</u>	
▪ General Aggregate (per project)	\$3,000,000
▪ General Aggregate (per occurrence)	\$2,000,000
▪ Fire Damage (any one fire)	\$50,000
▪ Medical Expense (any one person)	\$10,000
<u>Business Automobile Liability Insurance:</u>	
▪ Each Occurrence	\$1,000,000
▪ Aggregate	\$2,000,000
<u>Workers Compensation Insurance</u>	\$500,000

3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.
4. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
5. Plans submitted for review shall meet the following general criteria:
 - a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
 - b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department.
 - c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.

- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
 - e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
 - f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
 - g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
 - h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
 - i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.
 - j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
 - k. All engineering plans shall be printed to PDF, combined to a single file, stamped and digitally signed by a Professional Engineer registered in the State of Oregon.
 - l. All plans submitted for review shall be in sets of a digitally signed PDF and three printed sets.
6. Submit plans in the following general format and order for all public works construction to be maintained by the City:
- a. Cover sheet
 - b. City of Wilsonville construction note sheet
 - c. Land Use Conditions of Approval sheet
 - d. General construction note sheet
 - e. Existing conditions plan.
 - f. Erosion control and tree protection plan.
 - g. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
 - h. Grading plan, with 1-foot contours.
 - i. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
 - j. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
 - k. Street plans.
 - l. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference.
 - m. Stormwater LIDA facilities (Low Impact Development): provide plan and profile views of all LIDA facilities.
 - n. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.

- o. Where depth of water mains are designed deeper than the 3-foot minimum (to clear other pipe lines or obstructions), the design engineer shall add the required depth information to the plan sheets.
 - p. Detailed plan for storm water detention facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water detention facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.
 - q. Detailed plan for water quality facility (both plan and profile views). Note that although storm water quality facilities are typically privately maintained they will be inspected by Natural Resources, and the plans must be part of the Public Works Permit set.
 - r. Composite franchise utility plan.
 - s. City of Wilsonville detail drawings.
 - t. Illumination plan.
 - u. Striping and signage plan.
 - v. Landscape plan.
7. Design engineer shall coordinate with the City in numbering the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to City's numbering system.
 8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
 9. Applicant shall work with City Engineering before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
 10. The applicant shall be in conformance with all stormwater and flow control requirements for the proposed development per the Public Works Standards.
 11. A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City.
 12. The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.

13. Storm water quality facilities shall have approved landscape planted and/or some other erosion control method installed and approved by the City of Wilsonville prior to paving.
14. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
15. All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
16. Streetlights shall be in compliance with City dark sky, LED, and PGE Option C requirements.
17. Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
18. No surcharging of sanitary or storm water manholes is allowed.
19. The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
20. A City approved energy dissipation device shall be installed at all proposed storm system outfalls. Storm outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
21. The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
22. All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
23. Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.

24. The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
25. The applicant shall provide adequate sight distance at all project street intersections, alley intersections and commercial driveways by properly designing intersection alignments, establishing set-backs, driveway placement and/or vegetation control. Coordinate and align proposed streets, alleys and commercial driveways with existing streets, alleys and commercial driveways located on the opposite side of the proposed project site existing roadways. Specific designs shall be approved by a Professional Engineer registered in the State of Oregon. As part of project acceptance by the City the Applicant shall have the sight distance at all project intersections, alley intersections and commercial driveways verified and approved by a Professional Engineer registered in the State of Oregon, with the approval(s) submitted to the City (on City approved forms).
26. Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
27. Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and Allied Waste Management (United Disposal) for access and use of their vehicles.
28. The applicant shall provide the City with a Stormwater Maintenance and Access Easement Agreement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Applicant shall provide City with a map exhibit showing the location of all stormwater facilities which will be maintained by the Applicant or designee. Stormwater or rainwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
29. The applicant shall "loop" proposed waterlines by connecting to the existing City waterlines where applicable.
30. Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
31. For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).

32. Mylar Record Drawings:

At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.